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STRATEGIC PERSPECTIVES STUDY

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Final Report

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Islands Trust/Ministry of Municipal Affairs

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Executive Summary

Over the past quarter century, the Islands Trust has evolved and adapted to meet changing circumstances. As part of a continuous process of planning for the future of the Trust Area, the *Strategic Perspectives Study* represents another step.

The *Study* is intended to result in a greater understanding of the Islands Trust's past strengths and weaknesses, future trends and conditions, and potential future governance options. It will also be of use as an information source to establish long term directions and short term priorities; as a rationale for legislative proposals, and as a foundation for interagency partnerships.

- **METHODOLOGY**

To carry out the *Study* interviews were conducted with a large number of individuals – trustees, staff, provincial and federal government officials, regional district directors, staff, Trust Fund Board members, and several others associated with the Trust. (Refer to Appendix A.) As a result, the *Study* relies heavily on "what was heard" during the interviews and reflects the perspectives of those interviewed.

The information collected from the interviews has been organized around the following topics – the Legislated Object, Local Area Governance, Trust Area Governance, Land Use Planning Service Delivery, the Trust Fund, and Governance Options. Strengths and weaknesses, issues and opportunities are outlined in each of these sections. The final part of the report provides Conclusions (themes and strategic responses) and Recommendations.

- **THEMES AND STRATEGIC RESPONSES**

A number of themes and strategic responses emerged from the interviews. These are set out below.

■ **<u>The Legislated Object</u>**

There is wide recognition that the Object – *to preserve and protect* – is what makes the Islands Trust unique and that its relevance, given the challenges facing the Trust Area, both internally and externally, is greater than ever. However there is also a feeling that public acceptance and understanding of the Object is sometimes limited; that there is a need to use public information programs to increase awareness.

Many feel that the Object could be improved by providing definitions of key words and phrases (e.g. amenities and benefits) and by giving it "more teeth" (e.g. changing verbs from shall to will). To carry out the Object, many feel that the Trust requires additional tools and authority (e.g. especially in the area of environmental protection), and more credibility and better cooperation with external agencies.

Perhaps the area of keenest concern is the definition of the "provincial interest": how it is represented, how accountability is achieved, how the relationship of the *Islands Trust Act* to other provincial legislation can be strengthened, whether or not the province should provide funding to support the Object, and whether or not regulatory codes could be modified to fit the Trust Area. A number of other jurisdictions with a similar mandate could be used to identify a possible definition of the "provincial interest".

As a response to the need for preservation and protection in the Trust Area, many feel that the content of the <u>Policy Statement</u> lacks strength, that what the Trust requires is a strategic regional

plan. The model of the regional growth strategy is frequently cited for developing a Trust Area "vision" and incorporating the "provincial interest".

- **Local Area Governance**

Local area governance structure in the Islands Trust recognizes the separate identity of each island or island group and the need to provide an opportunity for each to direct their own affairs within the Object. With the exception of Bowen Island which has a seven person municipal council, the other local trust areas have a local trust committee, with two locally elected trustees and a chair who is a member of the Executive Committee.

While there is considerable support for the existing structure, at the same time many question whether it is adequate: the workload for trustees is considerable, especially on the larger islands; the size of the committee is insufficient for representing diverse and divisive interests; public meetings on many islands occur infrequently and business is regularly dealt with by resolution without meeting out of the public eye; public participation is low and many are unaware of the limited role of the local trust committee; the chair comes from off-island and does not provide a sufficient "oversight" role; and the relationship to the wider Trust Area and the representation of the "provincial interest" is weak.

To address these concerns, the following suggestions have been made: increasing the size of the local trust committees; increasing the use of the Policy Statement; reducing the amount of business conducted by resolution without meeting; providing information to residents (e.g. brochures and newspaper articles); and improving support for local trustees (better compensation, staff, equipment and orientation). To enhance the "credibility" and effectiveness of the local trust committees, some would like to see the land use planning focus expanded to include budget and service delivery. On the other hand some feel that this would "dilute" the preservation mandate.

- **Trust Area Governance**

Area wide governance is provided through the Trust Council which is made up of 26 members – two from each of the local trust areas. While, there is general support for the concept of having a body to represent the "bigger picture", many feel that the potential has not been realized, that "it is not more than the sum of its parts", that "local issues take precedence", that the federated structure does not adequately provide representation for islands with large populations and assessments. Some would like to see the structure changed and the Trust Council take on a more concerted "strategic regional planning" role. In a similar vein, some would like to see the Executive Committee exercise its authority more, especially in terms of ensuring bylaw compliance with the Object and Policy Statement.

The recent emergence of the Island Municipality of Bowen, and the possibility of other incorporations, has heightened awareness of the changing nature of the Trust and the need to adapt. Incorporation is seen as a response to the desire to have more autonomy and control over one's affairs by taking on added responsibilities (in particular service delivery and regulatory tools). Some fear that island incorporation will weaken the link between the various parts of the Trust and to the Object; others feel that the Trust itself should be moving towards taking on additional responsibilities within a revamped structure.

Of considerable concern generally is the impact island incorporation will have on Trust finances and the continued ability to deliver local land use planning services, a situation that becomes even more serious when combined with declining provincial grants. There is a need to look at alternative revenue sources, service provision and delivery methods as well as identify future provincial commitments.

■ Land Use Planning Service Delivery

The cost and allocation of planning services in the Islands Trust has often been contentious. Matching needs, payment, and service are key issues that become even more significant in the face of declining revenues. Planning in the Islands Trust is further complicated by processes which are complex and extended, by over-lapping jurisdictions, by the infusion of a high degree of political input, by the nature of the Trust Area itself, and by a lack or inappropriateness of regulatory tools and authority to carry out the Object.

There is a need to look at: alternative ways to deliver planning services, including the level and method of service delivery as well as funding alternatives; role clarification; streamlining processes; adhering to the Work Plan; ensuring accountability for services used; managing crises better; strengthening the working relationship with senior government ministries and agencies; linking planning and service delivery (e.g. infrastructure provision as a growth management tool); identifying and acquiring additional regulatory tools (e.g. subdivision approval); and seeking modification of provincial codes and standards.

There is general acknowledgment that bylaw enforcement is inadequate and resources are insufficient. How to increase available resources, how to deliver the service in a different way, and how to deal with overlapping jurisdictions are all issues requiring attention. There is also general acknowledgment that some or all of the Trust office and staff in Victoria should be decentralized.

■ The Trust Fund

Many believe that in addition to the Object, the Trust Fund is what makes the Islands Trust unique. However, while there is widespread support ***in principle*** for the Trust Fund and a general acknowledgment that the Fund lacks sufficient resources (financial and staff) to carry out its work, there is a wide divergence of views about the extent the Fund should be supported in ***real*** terms with additional local resources. Many feel the Province should be contributing more through direct funding, by establishing an endowment, or through initiatives such as enhanced land acquisition or use of crown lands for purposes of *preserving and protecting* the Trust Area.
In addition to concerns about inadequate resources, there are a number of other issues that many feel require attention. These include: improving trustee understanding of the role and operation of the Trust Fund (e.g. through workshops and in orientation sessions); acquiring additional tools (e.g. establishing a longer term planning capability and communications function); improving the effectiveness of its operation (e.g. changing its name and reviewing board size, composition, and the organization of activities); reviewing the relationship to other conservancies and the province (e.g. developing cooperative working arrangements and partnerships). Some suggest that the Fund's relationship to the Trust itself should be re-examined as part of a larger governance study.

■ Governance Options

There is widespread recognition that the Islands Trust is in "transition", that there is a need to review its governance structure. With the emergence of island municipalities, conditions and relationships are changing. A number of governance options have been identified, including: maintaining the ***status quo***, establishing a ***municipal structure***, establishing a ***commission*** to administer the Object in combination with a municipal structure for the larger islands or groups of islands, establishing an Islands Trust ***regional area***, creating a ***county government*** similar to the San Juan Islands, ***abolishing the Trust*** and attaching its parts to adjacent regional districts or to an existing body such as the Georgia Basin, and ***re-examining and/or expanding the Trust's boundaries*** to include all or some of the coastal islands in Georgia Strait and Howe Sound.

If a governance study is undertaken there are a number of issues that need to be considered. These include: how to maintain/strengthen the Object, including how to preserve and protect and define the

provincial interest; how to ensure adequate local representation and accountability (local, regional and provincial); how to minimize conflict; how to improve the relationship of the parts to the whole; how to reduce the complexity and number of overlapping jurisdictional responsibilities; how to improve relations with external agencies; and how to provide the Islands Trust with special and additional regulatory authority.

As well there are a number of other issues that need to be examined in detail with respect to each and all options identified, including: revenue projections (alternate forms of taxation and funding); costs; the implications of linking land use planning and service delivery; the feasibility of implementation and how implementation would be carried out; and a comparison of the options in terms of their ability to regulate land use, their impact on work loads, finance, and representation.

- **CONCLUSION AND RECOMMENDATIONS**

The issues and themes, strategic responses and opportunities outlined above, provide the basis for the *Study's* recommendations, recommendations that can be used to start the process of examining governance options for the Islands Trust.

Recognizing that there is a general recognition of the need for change in the governance structure of the Islands Trust as well as an oft expressed preference for taking an evolutionary approach, the *Study* recommends that a governance review of the Islands Trust be carried out in three stages. The three stages can be conducted concurrently or in succession.

Stage 1

Implementation of many of the identified strategic responses can be undertaken within the current authority of the Islands Trust, particularly where review of and adjustments to current practices are involved.

Examples include: streamlining processes; strategic financial planning; staff issues; assessment of alternate service levels and methods of delivery; allocation of planning services; identification of desired regulatory tools; improved bylaw enforcement; increasing public awareness and participation; developing cooperative working relationships with external agencies; decentralization of planning staff; strengthening the Policy Statement; and reviewing and making adjustments in the operation of local trust committees, the Executive Committee, Trust Council and Trust Fund.

- *Recommendation: carry out those actions that are within the existing authority of the Islands Trust as outlined above.*

Stage 2

In some cases, implementation of the strategic responses will require assistance and cooperation from other jurisdictions, such as the province and regional districts, particularly with respect to legislative amendments, changes in their current practices; changes in the relationship between the Islands Trust and other jurisdictions; review of policies and practices in other areas; and funding commitments.

Examples include: inclusion in the *Islands Trust Act* of additional regulatory tools and authority (including provisions for conducting a regional growth strategy and for ensuring greater environmental protection); clarification and changes to the definition of the Object (including a definition of the "provincial interest" following a review of examples in other jurisdictions); providing increased flexibility in local trust committee size and local area representation; identification, commitment and coordination of provincial funding and programs to support the "provincial interest", modification of generic codes; strengthening the protocols; and working cooperatively to develop joint service provision (e.g. bylaw enforcement).

- *Recommendation: carry out the actions described above.*

Stage 3

In other cases, implementation of some of the strategic responses will require consideration in the context of a broader and more in-depth governance review, including consideration of the particular governance options outlined in the report.

- *Recommendation: conduct a governance study for the Islands Trust*
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A. Introduction

In 1974, the Provincial Government enacted special protective legislation – the *Islands Trust Act* – which led to the creation of the Islands Trust – an area extending over 13 major islands and 450 smaller islands and encompassing some 2000 square miles in the Strait of Georgia and Howe Sound. In April 1990 the *Act* was amended to establish the Trust as an autonomous local government with land use planning regulatory authority and several years later, the *Act* was further amended to allow for the existence of Island Municipalities within the Trust Area.

Clearly over the past quarter century, the Islands Trust has evolved and adapted to meet changing circumstances. As part of a continuous process of planning for the future of the Trust Area, the *Strategic Perspectives Study* represents another step.

This project has considerable significance with respect to the future of the Islands Trust. While this *Study* is part of a larger process leading to a possible governance options review and governance changes, it will also be of use as an information source to establish long term directions and short term priorities; as a rationale for legislative proposals, and as a foundation for interagency partnerships.

The *Study* is intended to result in:

- a greater understanding of the Islands Trust's past ***strengths and weaknesses*** (legislative, structural, financial, organizational and technical) that impact the achievement of the legislated Object;
- an appreciation for the future ***trends and conditions*** that the Islands Trust will face; and,
- an identification of ***potential future options*** to be explored to overcome identified weaknesses, realize strengths and address emerging trends.

Given continued population and development pressures from the surrounding area, the growth of some of the Islands themselves, serious conflicts amongst island residents arising from contradictory values and interests, and the emergence of island municipalities, the Trust Area is facing significant challenges. Amongst many associated with the Islands Trust, including both elected and non-elected officials, there is a wide acknowledgment of the need to look at Trust Area governance.

- "After 25 years there is more maturity – needs to be changed."
- "Something has to change."
- "The Islands Trust needs to do some serious navel gazing."
- "Time to rethink it all – beginning of something important to the future of the Trust."
- "A lot of energy is going to the belief that there needs to be a transformation – the present uncertainty is causing some real dissonance."

The following report includes sections on Governance Issues and Opportunities with specific reference to the legislated Object, local area governance, Trust Area governance, land use planning service delivery, the Trust Fund and governance options. In each of these sections, the perspectives of key stakeholder groups associated with the Islands Trust are presented.

B. Methodology

The ***Strategic Perspectives Study*** was undertaken in two phases: the first involved extensive interviewing and the preparation of a ***Draft Discussion Guide*** for consideration at a facilitated workshop with members of the Trust Council; and the second involved the preparation of the final report. The final report incorporates the results of the facilitated workshop and provides conclusions and recommendations for submission to the Executive Committee and the Minister of Municipal Affairs. The *Draft Discussion Guide* is a central part of the final report.

Preparation of the *Draft Discussion Guide* involved a number of activities.

- A review of a large number of background reports, studies and official documents about the Islands Trust was undertaken. This material was provided to the consultant by Islands Trust staff.
- Based on the literature review, a draft Interview Guide was prepared and subsequently discussed with the Steering and Executive Committees. As a result the draft Guide was revised. A copy of the final version is included as Appendix B. As it was intended that a large number of people would be interviewed, the use of an interview guide provided a similar structure for each interview, but by its very nature was adaptable to suit the interests and expertise of the person being interviewed.
- Prior to the conduct of the interviews, the Trust Council Chair sent a cover letter introducing the consultant and the purpose of the Study to all of those to be interviewed. A copy of the Interview Guide was included so that those to be interviewed would have an opportunity to think about the topics to be covered beforehand.
- The Interview Guide was designed around four broad topics: Local Area Governance, Trust Area Governance, Land Use Planning Service Delivery, and the Legislated Object. Under each topic the questions for discussion centered on identifying issues and opportunities, strengths and weaknesses, and possible options for improving the governance structure, process, relationships and legislative framework of the Islands Trust. A FAX number was provided if any one being interviewed wished to follow up with written comments. A number of individuals did so.
- Interviews were conducted with a large number of individuals – mostly by telephone on an individual basis, a few in person and several through group sessions. With a few exceptions, the list of those interviewed was provided to the consultant by the Islands Trust. A list of those interviewed is included as Appendix A.
- In preparing the *Draft Discussion Guide*, the information collected from the interviews was organized around the following topics – Local Area Governance, Trust Area Governance, Land Use Planning Service Delivery, and the Legislated Object. Given the importance of the Trust Fund, it was subsequently decided to include it as a separate area of discussion. There is some overlap as none of the sections is totally discrete. An Executive Summary was also included in the *Draft Discussion Guide*.

The *Draft Discussion Guide* and the *Strategic Perspectives Study Final Report* rely heavily on "what was heard" during the interviews and, in fact, directly incorporate many of the comments received. As a result, the information presented should be very much a reflection of the perspectives of those interviewed.

Neither the *Draft Discussion Guide* nor the *Strategic Perspectives Study Final Report* differentiates between the views of one set of persons interviewed and another, except where it is essential for gaining a better insight on the topic being discussed. ***Where there were significant differences in views, these have been noted.*** This is particularly true of the views expressed by trustees and where the views of trustees differed considerably from the "others" interviewed. The range of persons

making up the "others" is diverse and their particular relationship or association with the Trust varies significantly. As a result, presentation of their views as the views of an identifiable group would not be accurate.

The final report was prepared following the workshop facilitated by the consultant with members of the Trust Council on March 3, 2000 on Denman Island. The workshop reviewed the main themes identified in the of the *Draft Discussion Guide* and focussed on identifying strategic responses to those themes. While the *Draft Discussion Guide* forms the central part of the final report, as a result of the workshop discussion, a number of changes have been incorporated. In addition, the final report includes specific conclusions and recommendations for follow-up action.

C. Governance Issues and Opportunities

In the following section governance issues and opportunities are presented with specific reference to the legislated Object, local area governance, Trust Area governance, land use planning service delivery, and the Trust Fund based on the perspectives of trustees, staff, senior government representatives, and others associated with the Islands Trust.

Note: Quotations from key stakeholders are used extensively. Where direct quotations have been included, they are set off using quotation marks.

1. The Legislated Object

To protect the special values and features of the islands located in the Strait of Georgia and Howe Sound, the Provincial Government enacted the *Islands Trust Act* in 1974. A key part of the *Act* is the Object or Mandate:

> *"to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of British Columbia."*

The Object sets the Islands Trust apart from other jurisdictions in the province, providing it with a special purpose.

1.1 Strengths/Weaknesses

The following list of strengths and weaknesses is based on comments garnered from the interviews. The various strengths and weaknesses, noted below, represent views held by a number of stakeholders and are included on that basis.

Strengths	Weaknesses
• relevancy	• lack of clarity – open to interpretation
• public support	• lack of tools/authority to carry out
• worthiness	• lack of commitment by senior governments
	• lack of accountability
	• varying degree of support amongst various interests, private and public
	• lack of local resources to carry out

1.2 Issues and Opportunities

1.2.1 Relevance

Amongst those interviewed, overall there is strong support for the Object. In fact, the view is widely held that the Object is the "key strength and opportunity" of the Islands Trust, that it is "the glue that holds it together" and that "if anything it is even more important now than it was 25 years ago".

When the Islands Trust was established, the Object was a response to pressures on the Islands as a result of the rapid growth and development occurring in Georgia Strait and Howe Sound with concurrent spill over onto the Islands themselves. These pressures continue and will continue. They include:

- population growth and change in the composition of the population
- land value and tax increases resulting in a lack of affordability, a push to development, and loss of significant ecological assets
- increased tourism
- lack of economic opportunities
- deterioration of the natural environment
- diversity of competing interests and conflicting aspirations, and
- real estate speculation.

1.2.2 Acceptance and Understanding of the Object

- ***Issues***

While there is strong support for the Object, many acknowledge that there is often less support when steps are taken to implement it: "at a philosophical level people believe in the Trust, at a practical level they are not so happy if it affects their life style". Private property and personal interests frequently conflict with the protection of the natural environment, particularly in the way in which protection is exercised. As values and interests collide, delivering the Object becomes "very political, there is no middle ground and it is not possible to have a reasonable debate, in a polarized situation". The "passionate" interest in the Object can also be a problem, "hampering the ability to come up with workable solutions".

Complicating the situation, according to some, is the lack of knowledge of the Object, particularly amongst newer residents and owners and even long term residents "often do not appreciate the limited power and authority that the Trust has to achieve with the Object".

- ***Opportunities***

  - Provision of basic information for public distribution – brochures, newspaper articles – explaining the Islands Trust.
  - Provision of information outlining strategies for people to preserve and protect.
  - Building a consensus between different organizations around preserve and protect.
  - Including a "notification on each property title that the property is within the Trust Area with the implications outlined".

1.2.3 Clarity

- ***Issues***

The phrase to *preserve and protect*, while generally lauded as an objective, can be and is interpreted in many and multiple ways by the various individuals and organizations involved with the Islands

Trust. This is often most evident in terms of how it will be carried out – "the language for preserve and protect is ambiguous, it is not strongly worded enough to deliver planning services with strong ecological values". As a result some feel that the Object requires greater clarity, more definition and not only to assist local trustees but to make "it clear to the province" as well.

On the other hand, some feel the Object should remain the way it is – "there is a great deal of Common Law around the object now – don't revise", "don't throw away". Some would also argue that *how* the Object is carried out is essentially a political matter and one that should be resolved in that arena. In keeping with this view, a considerable number of trustees feel that while the Object itself does not need re-writing, the Policy Statement should be the vehicle for clarifying and implementing the Object.

- "Any recommendations to clarify the Object are meant to strengthen the original wishes of the subscribers to withstand and adjust to the contemporary world of law and government, increased population and local developments. These should not be through changes to the object, but through changes to the Policy Statement."

❑ ***Opportunities***

There are many suggestions for changing and/or strengthening the Object as it is stated in the legislation. Suggestions from trustees, staff, and others associated with the Islands Trust include the following.

- defining a 'benefit';
- defining 'amenities' – " too many spins can be put on this – needs to be spelled out", does it "include the character of the islands and their communities";
- defining what 'environment' means – in addition to the natural environment, does it include the social/cultural environment;
- strengthening the wording, e.g. 'could' should be changed to 'should' and 'will' to 'shall';
- changing the syntax;
- identifying the "underlying values with respect to the integrity of the Islands' ecology";
- defining 'what the province' generally means – "a serious mistake in drafting – does it mean that the Islands Trust is meant to look out for provincial interests in mining or fish farms";
- defining what to 'preserve and protect' means;
- adding "enhance" to preserve and protect – based on a definition of enhance to include "replenish, replace and restore";
- revising 'in cooperation' – "restructure the Trust Area and give it veto power like the Agricultural Land Commission";
- identifying how local needs can be merged with provincial needs;
- identifying the main stakeholders; and
- including the rights of property owners.

What needs to be clarified and/or strengthened and how that would be achieved needs to be discussed further. Two key ways of achieving clarification and strength are through a legislated amendment to the *Islands Trust Act* and changes to the Policy Statement.

1.2.4 The Provincial Interest

❑ ***Issues***

The Object is a creation of the provincial government and enshrined in provincial legislation, yet it has been largely delegated to local trustees to carry out. While the Object sets out the requirement to

preserve and protect ... for the benefit ...of British Columbia generally, the legislation does not address how the province will act in terms of the Object. This lack of definition around the "provincial interest" creates a high level of frustration amongst those at the local level.

The specific issues that generate the most comment include the following.

- *Lack of consistency in approach by different provincial agencies* – many feel that provincial "service provision is almost opposite to what the Object calls for and that conflict is the result". Many feel that a greater coordination of provincial interests and actions is required, that there is no one body or individual at the provincial level to provide an "overseer" function. "Each government agency looks after their own mandate and interests separate from the whole, they do not work in a comprehensive cooperative manner with each other".
- *Lack of funding from the province to support the "provincial interest"* – many feel that if "the 'provincial interest' is so important then costs should be borne by the province to benefit the whole province" and that there is a "direct connection between financial support and policy". A common sentiment amongst trustees is that the Islands don't exist just for themselves, that they are a provincial resource and asset, and the province "needs to be there".[1]
- *No clear provincial accountability* – beyond "lip service". Many feel that there is a "lack of recognition of *our* Object from other agencies".

The view from outside the Islands is however sometimes different. Provincial representatives see the "provincial interest" expressed primarily through three main avenues:

- the application and use of provincial programs, initiatives and assets,
- grants to carry out certain activities[2], and
- various pieces of legislation defining the role and authority of the provincial government and the expectations of local government.

Complicating the situation further is the desire on the part of some local representatives to operate more independently from the province. In part this desire for local self-determination has driven island incorporation on Bowen and Salt Spring Islands. At the same time, given the "provincial interest", some argue for greater financial support and stronger regulation from the province. In a nutshell this dichotomy has been expressed as follows:

> *"The Islands Trust has made a choice on the extent of planning in the Islands – they want the province out of their backyard, but they also want more financial support from the province. The province sets out interests that must be accommodated, but islanders don't like what the province wants to do."*

When the Islands Trust was established the relationship between the province and local governments was different – local governments were far less autonomous. As well, over time, most local governments in the province have adopted, in some form at least, a preserve and protect objective. Many would also argue that there are other parts of the province that have important social, cultural, heritage, and environmental value to the province as a whole. The question, therefore, might well be asked if is there a different "provincial interest" in the Islands Trust than in other parts of the province.

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[1] Many feel that the Trust is upholding the provincial portion of the Mandate with most of the costs borne by the local community through property taxes. It has been estimated by the Trust that local taxpayers have paid $800,000 to support the provincial Mandate.

[2] The Islands Trust has received proportionately a higher amount of provincial planning grants than any other jurisdiction in the province.

Nevertheless, as it stands, to *preserve and protect* gives "extra power and authority to the Trust within the responsibilities set out". When the Trust was originally established its Central Planning Committee included provincial appointees to represent the "provincial interest". Some feel that this is once again required.

- "Need to revisit the structure of the Trust, it was more like the Agricultural Land Commission at the beginning and in that context the 'provincial interest' had a significant place, others from other parts of the province could have a say."

❑ ***Opportunities***

During the interviews the following opportunities were identified.

- Other local governments in the province are generally autonomous, the "Islands Trust is different and in fact the province has a different responsibility for the Trust". Under the present situation the possibility exists to maintain relations with the Province – "if more independent, this strength would be lost".
- Arrangements and legislation in other jurisdictions, notably with respect to the Niagara Escarpment and the *Ontario Municipal Act* and Adirondack Park in New York State, could provide some guidance for dealing with the "provincial interest".
- The Regional Growth Strategy legislation provides a mechanism for the "province to speak with one voice" through the Intergovernmental Advisory Committee – an adaptation of this might be possible. Similarly the provincial inter-agency management committees for the protected area strategies "worked well and might be looked to for guidance".
- The Regional Growth Strategy legislation expresses the "provincial Interest" in 14 goal statements – these could be of interest to the Islands Trust. Forthcoming changes to the *Municipal Act* will indicate how these goals should be considered in OCPs.
- The Object could be strengthened so that "it is mandatory for other agencies to consider (and adhere to)" and "all provincial legislation is changed to clarify the interaction of provincial agencies with the *Islands Trust Act*".
- "Generic provincial codes" could be modified to allow specific subsets for different areas of the province e.g., building code, road standards, forest practices, environmental health standards, agricultural land regulations, assessment practices and tax rates.
- An endowment could be established, such as those for UBC or the Columbia River Basin, to help fund the Islands Trust.
- An independent indexed source of revenue for the Trust could be set aside using the Resource Tax, Income Tax or Sales Tax.

1.2.5 External Agencies

❑ ***Issues***

The Object sets out an obligation for the Islands Trust to work in *cooperation* with a number of external bodies – municipalities, regional districts, improvement districts, other persons and organizations, as well as the province. To this list might be added the federal government, several of whose agencies have a significant role in the Trust Area. Effective inter-agency communication is crucial to fulfilling the Object.

The Islands Trust is sometimes viewed by representatives of external agencies as being "highly insular with respect to the Object", "unwilling to develop the Islands for the enjoyment of others", and "needing to respect that this is not an exclusive club". Originally, it was expected that the Islands

Trust would be able to "influence" other bodies to fulfill the Object, however, some question whether "what the Trust really wants is control".

The following comments illustrate these points.

- "The way the Mandate is being carried out by the Trust it has a very narrow focus, which is doing a disservice to the rest of BC."
- "It is a real struggle to get acknowledgment of other uses, the Mandate is carried too far – how far is far enough and who decides. Preserve the qualities they have but not to the point of excluding everything else." The unwillingness to consider other uses "affects the working relationship of Trust with other agencies, they are not pragmatic enough so there is nothing in it for anyone else".
- "Too often the idea of the provincial interest in the Object is used to cover a whole lot of personal objectives. It is held up as a high ideal to justify any position Trust cares to take."

Over the years, the Trust has developed protocols to help clarify the relationship and the process for cooperative undertakings between itself and various external bodies. The protocols are based on the belief that the single planning focus of the Trust was insufficient to achieve the Object. Views about the usefulness of the protocols vary.

- Some feel the protocols have "worked well", in fact "have saved our bacon" by strengthening the relationship between the Trust and other bodies, increasing consultation and improving awareness of the Trust.

- Others feel that they are only "feel good statements – a waste of time because they are not specific enough" particularly with respect to jurisdictional authority, are not used regularly, take too long to work through, and are often ignored by staff in external agencies who don't know they exist.

- ***Opportunities***

During the interviews the following opportunities were identified.

- Identify "what it is the Islands Trust wants from other levels of government."
- Identify strategies for developing cooperative working relationships with external bodies – joint projects, partnerships, clarification of jurisdiction. "The Islands' highly fragmented eco-system needs more than one player to protect it."
- Develop the agenda – "become pro-active in protecting the Object rather than reacting to others' initiatives". Use the Object "to set the context" for other bodies.
- Establish credibility with external bodies to encourage understanding and regard.
- Maintain the agency liaison program – continue the dialogue with MLAs, MPs, Ministers, regional districts, electoral area directors, AVIM and UBCM.
- Keep external agency staff up-to-date on the protocols and use them on a more regular basis.
- "Need a genuine debate on the best use of land, based on good information going to the public."
- Look at the Fraser River Basin Council for its ability to bring together Federal and Provincial agencies as key players to direct some of their resources and form partnerships to solve problems.
- Continue participation in the Pacific Marine Heritage Legacy – "there is a role for the Islands Trust in management, but the Trust will have to consider the broader public".
- Make sure that "planning processes are pulling parties together to develop awareness of trade-offs and to reach compromise".

1.2.6 Policy Statement

The Policy Statement is a legislative requirement of the *Islands Trust Act.* It "must be a general statement of the policies of the trust council to carry out the Object of the Trust." It provides a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve and protect the Trust Area. It is intended to provide guidance for the formulation of bylaws, plans and policies for local trust committees, the Trust Council, the Executive Committee, municipalities, the Province and other agencies when they are reviewing their own plans and policies for compatibility with those of the Islands Trust.[3]

- ***Issues***

The Policy Statement is seen as an end, the "articulation of the Object" and because it sets out roles and responsibilities, principles, policies, and definitions, it can also be seen as an "essential" tool, "a means to explain what we think needs to be done to achieve the Object" although "how it is used is a responsibility of the trustees".

During the 1990s when the Policy Statement was being developed there was considerable debate amongst trustees and the general public about the desired strength and "directedness" of the language to be used and how the Policy Statement should be implemented. There were those who wanted to see effective control to preserve and protect exercised from the centre and those who wanted local areas to have more autonomy. These divergent views continue to exist.

- "Strengthen to bring the OCPs in line."
- "Little energy given to overall trust objectives – always subject to interpretation."
- "Used as a fall back when people are elected who may not support the Mandate."
- "No binding words – missed an opportunity."
- "Strengthen the language in the Policy Statement – more 'mays' than 'shalls' right now leads to a lack of certainty in enforcing."
- "Each island must endeavour to work towards is used as a guiding principle rather than for compliance."
- What is "really critical is holding on to the Object, it is a backdrop to decision making".
- "Sober second thought function" is important.
- Needs to be "strengthened and clarified – oversight role".
- "Has a number of things in it that can only be dealt with externally (ministries need to sign off on before action can be taken)."

There are many amongst the current trustees, who would like to see the Policy Statement revisited with a view to strengthening it. There is also considerable support for making it more like a regional growth strategy as set out in the *Municipal Act,* although at present the Islands Trust does not come under the regional growth strategy legislation.

- "Give it some teeth – something like a regional growth strategy."
- "Add something akin to the regional growth strategy to the Islands Trust with the ability to focus on population targets and transportation as a means to control growth."
- "The Trust Council should be setting regional goals and developing a regional plan that reflects the Object, negotiated with the local trust committees."

[3] Islands Trust Policy Statement, pages iv and 1.

- ***Opportunities***

During the interviews the following opportunities were identified.

- "Policies in the Policy Statement are not followed through with at the local level and fall short of what is needed."
- "The Policy Statement needs to have more attention paid to it – the trade off is often cost/money."
- "Onus would need to be legislated."
- "A new committee could be set up under the direction of the Executive Director to review the Policy Statement/develop a regional growth strategy."

1.2.7 Authority and Tools

- ***Issues***

The phrase – "huge Mandate, little authority – a real David and Goliath situation" sums up how many trustees feel about their ability to carry out the Object. Many feel that they have a "noble Mandate that is continually compromised by day to day work", that the Islands Trust is a "toothless paper dragon", that they are "overridden by all" and that their "lack of clout leads to a lack of credibility". While the Object can be viewed as a "piece of genius that becomes more robust and tougher as it gets more and more used, it falls down when the tools are missing".

- The tools available are "development oriented – "there is a bit of a collision between the *Municipal Act* and the *Islands Trust Act*".
- There is a lack of clarity in definitions in both the *Municipal Act* and the *Islands Trust Act*, e.g. "what is a park".
- There is "a lack of tools for environmental protection", e.g. subdivision approval, marine protection, forest practices, environmental health regulations, etc.
- If the Islands Trust "is expected to pay its way, it should have the authority/privileges of other local governments".

- ***Opportunities***

During the interviews the following opportunities were identified.

- Take a more pro-active approach to preserve and protect.
- Identify appropriate tools to more effectively carry out the Mandate.
- "If we need more tools, they should be in the *Islands Trust Act.*"
- Develop more environmental data at the correct level of detail.

2. *Local Area Governance*

Each island or group of islands within the Islands Trust is designated as a local trust area. Local governance is provided through a local trust committee or a municipal council. At present there are thirteen local trust committees[4] and one island municipality in the Trust Area. Each local trust committee has three members – two locally elected trustees and one Executive Committee member who serves as Chairperson; the island municipality on Bowen Island has a mayor and six councillors.

[4] One of these is an "Executive Island", i.e. administered by the Executive Committee and without a local trust committee.

Local trust committees and island municipalities are responsible for land use planning and regulation within their area of jurisdiction. Bylaws are referred to the Executive Committee for approval and Official Community Plans to the Minister of Municipal Affairs.

The local trust areas face a number of challenges. Twenty five years ago when the Islands Trust was established, the islands were much more isolated and the "concept of the local trust committee was okay". Today, communication and transportation links are vastly improved. Surrounded by several millions of people, population on the islands continues to increase leading to significant pressures and divisions between those who want to see more develop and those who want to preserve.

2.1 Strengths/Weaknesses

The following list of strengths and weaknesses is based on comments garnered from the interviews. The various strengths and weaknesses, noted below, represent views held by a number of stakeholders and are included on that basis.

Strengths	Weaknesses
• working well	• size for some islands
• public involvement high	• rapid turnover of trustees
• local knowledge and dedication of trustees	• staff resources often not available
• close local government	• too "local"
• ability to respond to local initiatives	• irregularity of meetings
• unique – "show how a government structure can deal with environmental protection"	• lack of powers

2.2 Issues and Opportunities

2.2.1 Trustees

- ***Issues***

On the whole local trustees are perceived to be dedicated, committed, very hard working, close to the people, and knowledgeable of their community.

- "Trustees are local residents – know what is going on, they are available."
- "People on the island are dealing a person they know, there is close contact."
- "Some trustees work full time at being a trustee – supplement those who can only do it part time."

However, the heavy workload can take a toll and there is a considerable turnover resulting in a lack of continuity and stability. Exacerbating this situation some trustees believe is the low level of remuneration. The lack of adequate compensation and workload, some believe, limits running for election to those who can afford the time/and or the cost.

Because trustees live on their island, they are often "more visible" than staff or other government officials (elected or non-elected). As a result when problems arise, they are often the "key government contact for the island, even when the issue is outside the jurisdiction of the Islands Trust". Because in many cases staff is located elsewhere, some believe that local trustees have become

"mini-administrators", fulfilling functions normally carried out by staff. Much of this activity is carried out with minimal assistance and support, e.g. no office space and little equipment.

- "There is a personal sacrifice to being a trustees – no support services, islanders have no one to go to except trustees."

❑ ***Opportunities***

During the interviews the following opportunities were identified.

- Consider increasing compensation and "address personal fiscal responsibility".
- Consider strengthening Trustee orientation – 2 day intensive session some time well before the first Trust Council meeting to learn about procedures, Trust structure and organization, and to have opportunities for getting to know the staff and fellow trustees.
- Consider providing equipment (e.g. fax and computers) and office space (e.g. 2 trustees have opened a clinic in the CRD office for 1 morning a week to improve their accessibility to the public).

2.2.2 *Local Trust Committee Meetings*

❑ ***Issues***

Except on large islands such as Salt Spring[5], local trust committee meetings tend to be infrequent: often only once or twice a year and even on Salt Spring meetings are scheduled only every six to eight weeks. On many other islands there is rarely a regular schedule of meetings. Some feel that this reduces public interest and attendance.

On the other hand, considerable business is conducted through "resolutions without meeting" – a situation that causes concern for many. While they may be an efficient way of conducting business, given the difficulties and costs of regular meetings, they are not open to public scrutiny or input. According to many trustees most of the business deals with "minor housekeeping issues" – but others indicate that on occasion at least "other matters creep in". In other jurisdictions where getting people together for a meeting is difficult, the *Municipal Act* regulates what can and cannot be discussed in electronic meetings. Throughout the province the rules about in camera meetings have been tightened considerably over the last decade.

❑ ***Opportunities***

During the interviews the following opportunities were identified.

- Increase transparency and accountability – review need for resolutions without meeting.
- Encourage public participation and attendance – review meeting schedule and, to overcome cost, "consider having the chair join in through a conference call".
- Relocate staff to reduce the cost of holding meetings and reduce the need for resolutions without meeting.

2.2.3 *Role and Selection of the Chair*

[5] On Bowen, the municipal council meets regularly, similar to other municipalities in the province. This partly reflects the fact that the range of responsibilities that Bowen Council is dealing with is much broader than the land use focus of local trust committees.

- ***Issues***

The chair of the local trust committee has an important role, which has been described in various ways: impartial, neutral, facilitator, mediator, and resource. Because the chair is a member of the Executive Committee, he or she can act as an "ambassador", "cross-fertilize", "provide a wider perspective", and ensure the Object is emphasized – the Chair of the local trust committee is the "connection to the Object". The "interlocking nature" of this position allows problems and issues to be aired both locally and area wide. In the view of some it "works like a charm".

For others, the fact that the chair is not someone who lives on the island is a concern – "they don't know the local issues and are not always available". For some, there is concern that the workload of the members of the Executive Committee is too great. Others comment that "too often the chair is reluctant to make decisions or break ties, that they cannot nor do they represent the provincial interest", that there is a "lack of executive oversight". For some, having an Executive Committee member as chair of the local trust committee weakens the appeal process and they suggest that the chair should stand aside in these situations.

Despite there being some concerns about the designation of an Executive Committee member as chair of the local trust committees, the interviews suggested there was general support for the system of chair selection. Concerns expressed about the chair appear to have more to do with individual styles and/or the level of tolerance for a strong central influence when dealing with local issues.

The question that needs to be asked is "who else could the chair be"? During the facilitated workshop there was considerable discussion about chair selection.

While there is some support for appointing regional district directors as chairs of local trust committees, this approach is not favoured by others. Regional district directors are not elected to represent the Object or always familiar with the Object and this some feel would "dilute" the focus. The fact that regional decisions impact Island Trust decisions and the Object, would "confuse representation". Moreover, in some cases, the regional district director would have to sit on several trust committees in addition to their responsibilities as an electoral area representative, adding to an already heavy workload.

Appointment of a provincial official as chair has some limited support. Those who support this approach feel it would permit the "provincial interest" to be represented and provide the local trust committee with a chair "removed" from local issues.

- ***Opportunities***

During the interviews and the facilitated workshop a number of other opportunities were identified:

- selection of the chair from amongst local trustees, if the size of the local trust committee is increased;
- expansion of the Executive Committee from 3 vice-chairs to 4 to spread the workload; and,
- election from the Trust Council of 4 additional trustees to act as chairs of local trust committees and who would be responsible to the Executive Committee.

2.2.4 *Structure*

- ***Issues***

The *Islands Trust Act* by establishing local trust committees recognized each island community's separate identity and the opportunity for each island community to direct its own affairs within the Trust Object – in fact, the local trust committees are separate incorporations deriving their powers from the *Islands Trust Act* and *Municipal Act*.
There is widespread support amongst trustees (and according to them, the public) for maintaining local autonomy and many feel it is working well:

- "autonomy of the islands is valuable:;
- "what is valuable is what goes on on the individual islands";
- "working very well – reflects people working well together";

Some concerns exist however, more often expressed by others than local trustees.

- "Insular – don't share information from island to island on similar issues."
- "Each island is a kingdom."
- "Legislated nimbyism –fiercely protective of what they have, narrow perspective, not interested in any other views - does the structure encourage this?"
- "Thirteen different sets of problems and concerns."
- "Extraordinary power of the local trust committees – balance of the Object and planning skewed too far. The local trust committee can have an ideological base, dominated by special interests, different interests can be divisive."
- "Model of over-governance."
- "Very difficult for trustees to represent both local community interests and the provincial interest at the same time."

Because there are only two locally trustees on a local trust committee and each committee is autonomous, some feel that it is "too easy for special interests, if they organize, to get their people elected". Who can vote and where voting takes place are increasing concerns for many. The fear, as expressed most often, is that special interests working against the Object and using the same strategy on every Island, could "ultimately control the government of the Islands". While there are checks and balances in the structure (e.g. the overseer role of the Executive Committee and the Policy Statement), some do not feel they are strong enough.

- ***Opportunities***

During the interviews the following opportunities were identified.

- Ensuring that the wider Trust and "provincial interest" is protected.
- Maintaining or changing the balance and relationship of the parts to the whole.
- Reducing fragmentation, where possible, by developing common objectives amongst different jurisdictions.

2.2.5 *Size/Representation*

- ***Issues***

Trustees are divided on the issue of whether two trustees for each island or island group is appropriate. On most of the smaller islands (under 1000 in population), trustees feel two is sufficient.

- "No issues around size – 2 trustees work well – larger is not economical or practical – have APCs and advisory committees, helps to share the responsibilities."
- "Size is okay – draw on other people to assist – size of the local trust committee should not be an issue if the APC has a decent makeup."
- "Size is okay – would become even more ponderous if more trustees."
- "Size of the local trust committee avoids problem of regional districts where only one person represents a large electoral area."
- "Size is also okay if all you are dealing with is land use."

However on larger islands many feel that two is not sufficient. Factors such as workload, public expectations of trustees, the intensity of public debate and conflicting views amongst residents contribute to this latter view, although having a staff presence on an island can mitigate the need according to some trustees.

On many islands there is not only a diverse range of public views and interests, but a divisive range of views. The ability of two trustees to represent that range is a significant issue.

- "The local trust committee works fine as long as every member follows some general rules of fair government – problems arise when special interests take over."
- "Local trust committee members are elected and take an oath of office to represent all their constituents. Standards of conduct and governance principles require us to consult and balance all points of view in decision making within the context of the *Islands Trust Act.*"
- "Two trustees has the potential for deadlock (even with the chair) – different perspectives coalesce around the each of the trustees."
- "There is a divisive range of opinion on each island – 2 trustees cannot represent that range."
- "Opposing points of view don't get heard – there is no forum for constructive debate that leads to pent up frustration and people feeling they are not represented."
- "High growth has taken over the infrastructure making it difficult for local trustees to apply a structure that worked 25 years ago, but it is not equipped now to manage – 2 persons are not adequate/credible for a public hearing – too small a group."
- "The local trust committee really has to muster public participation unless there is an issue – the local trust committee can become too cozy with small numbers."

With two trustees for each island or island group ranging in size from a few hundred people to many thousands, some feel that "representation is absolutely out of whack". Often cited examples to illustrate the discrepancies in representation include: Salt Spring with 2 as compared to North and South Pender with 4; Saturna with 2 as compared to Piers with none. For some however, the geographic size of an island or island groups must also be taken into consideration when dealing with representation.

- ***Opportunities***

During the interviews the following opportunities were identified.

- Increasing the size of the local trust committee on some islands – through changes in the legislation or by becoming an island municipality with a larger council.
- Having a larger committee might allow one of the local trustees to serve as chair, although that could weaken the link to the centre. There would also have to be some way of determining how trustees would be selected for the Trust Council, but there is a model for doing this under municipal incorporation.

2.2.6 *Responsibilities*

- ***Issues***

While the primary function of the local trust committees is land-use planning, there are many, trustees and others who would like to see a service delivery function added. Many feel that land use planning and service delivery should be integrated, e.g. infrastructure provision which is a major tool for growth management. Services
generally "become more important as islands get larger". Some local trust areas have relatively large populations and their communities want additional services with the control over those services normally associated with municipal status. The following comments illustrate the situation.

- "The *Islands Trust Act* conceives local trust committees as a single purpose government agency with a very limited range of powers. However the Mandate is broad – their limited range of powers affects local trust committee credibility – islanders expect their local trust committee to deal with all issues."
- "Local trust committees have a limited jurisdiction, yet they are involved in all aspects of the islands – they try to manage everything through their planning documents when they don't have the authority of a municipal council."
- "Local trust committees have used land use planning as a regulatory tool because they lack the tools that municipalities have. Regional districts have no appetite to get involved in regulatory powers on the Islands which has left local trust committees trying to deal with issues they have no power to deal with."
- "The effectiveness of the local trust committee as government is diminished by lack of power to deal with issues that are dealt with by ratepayer associations (e.g. money is funnelled from regional districts to run fire districts)."

On the other hand there are those who hold a quite opposite point of view: "many constituents do not believe providing services is consistent with the preservation Mandate"; the local trust committees "work well because they have a land use focus – with service delivery the focus would be diluted". What some would like is more autonomy and the tools to make "preserve and protect" decisions. Many already feel that there is "too narrow a focus when the real need is to focus on the bigger issues" and that there is "little evidence that the Policy Statement is used".

- ***Opportunities***

During the interviews the following opportunities were identified.

- Provide examples for how local trust committees can comply with the Policy Statement, e.g. best practices, ways others have dealt with an issue.

- Work closely with regional district directors to coordinate land use planning and service delivery e.g. set up regular meetings.
- Consider further the question of taking on additional responsibilities in the context of other governance structures.

2.2.7 *Budget*

- ***Issues***

Local trust committees have little or no direct control or accountability for the budget- "no individual is called to account". Although there is local trustee input into the budget, "control of staff and capital budget resources belong to the Trust Council resulting in a disconnect in the chain of responsibility creating confusion, conflict, waste and public ill-will."

- ***Opportunities***

- Continue to ensure greater accountability, through a budget allocation process that is more transparent, with improved reporting on how and where monies are spent.
- "Make each local trust committee responsible for its own budget – level of service driving expenditures in the budget should be determined locally."

2.2.8 *Public Involvement and Awareness*

Many believe that one of the greatest strengths of local trust governance is the high degree of public involvement and interest and that the structure of local Trust Area governance enables people to participate.

- "Lots of opportunity for public input is a strength."
- "High interest in planning issues and being involved."
- "If an island is small enough it is possible to have a town hall type meeting form of democracy."

On the other hand, some feel that while the extent of public involvement is strong, it is often a "painstaking level of involvement - part of what makes Islands special but also something that adds to the cost and time". Still others feel that "attendance at meetings is low" and that the "public does not know what the Trust does or understand the role of a trustee". As a result many think the local trust committees and trustees have considerably more power and authority than they do. Many, and especially "weekenders don't understand that local trust committees are different from their municipal council back in the city".

- ***Opportunities***

Many of the opportunities identified deal with how to provide information to the public, recognizing that "communications are tied to the visibility of the Islands Trust, perception and participation in the Islands Trust."

- Try to explain in local newsletters what the role of a local trust committee is.
- Distribute a quarterly report sheet to public.
- Distribute a brochure to every household listing what we do/don't do.
- Provide some educational programs for the public.
- Develop "an extra legal polling bylaw - a sort of questionnaire type of survey – to find out what the public wants and assist decision-making".

3. *Trust Area Governance*

Governance on an area wide basis is provided by the Trust Council and the Executive Committee. The Trust Council is made up of 26 members – two from each of the local trust areas and two municipal trustees from Bowen Island.

The Trust Council provides general policies for carrying out the Object of the Islands Trust and is responsible for the financial management of the Trust, with the exception of the Islands Trust Fund. The Trust Council also appoints corporate officers and adopts the annual budget. The Trust Council is required to adopt and implement a Trust Policy Statement applicable to the whole Trust Area. The Policy Statement outlines the general policies of the Trust Council which are designed to support the Object and provide a framework for land use planning undertaken by local trust committees.

The Executive Committee is comprised of the Chair of the Islands Trust and three vice-chairs, elected for three-year terms by Trust Council from amongst its members. It carries out the daily business of the Trust and reviews all bylaws of the local trust committees to ensure compliance with the Object and Policy Statement. Members of the Executive Committee sit as chairs of the local trust committees.

The Trust Council also has three standing committees – the Local Planning Committee, the Trust Policy Committee, and the Financial Planning Committee. These committees provide policy advice to the Trust Council.

3.1 Strengths/Weaknesses

The following list of strengths and weaknesses is based on comments garnered from the interviews. The various strengths and weaknesses, noted below, represent views held by a number of stakeholders and are included on that basis.

Strengths	Weaknesses
• the legislated Object	• internal focus on local issues
• opportunity to focus on area wide issues	• overlapping jurisdictions/responsibilities
• ability to obtain services from other jurisdictions	• diminishing resources
	• lack of public involvement/awareness

3.2 Issues and Opportunities

3.2.1 Role of the Trust Council

- ***Issues***

Views about the effectiveness of the Trust Council and how it should carry out its role vary considerably amongst trustees and amongst staff, external agency representatives and others associated with the Islands Trust.
Many see real or potential benefit in the Trust Council.

- "The Trust Council can provide the overall bigger picture."
- "It is more than the initial debating society."

- "Works well when there is a sense of confederation. The Trust Council has worked well by providing mutual support/feedback. Working on issues in common is valuable."
- "The Trust Council is one of the highlights – good debate, commonality."
- "The benefit of the Trust Council is that trustees have contact with each other, it maintains the Islands Trust idea. You have to bring people together to do that."
- "There is a lot of sharing now between Trust Council members because they are under the same pressures."
- "Impressed with how well Trust Council is working – lots of people working well together, seem to be able to carry out the Mandate. "
- "Gives perspective to all the islands."

On the other hand, others see the Trust Council as not fulfilling its potential. One of the key issues is the balance between local autonomy and the Council.

- "It is not more than the sum of its parts."
- "The Trust Council is unwilling to tell the local trust committees to do anything. Although the Trust Council has the capacity and power they do not enforce the Mandate."
- "The Trust Council gives ginger treatment to matters. They defer to the local trust committees to run their own jurisdiction. They do not hamper the local trust committees very much. They are respectful of local autonomy. However, this may not work so well in time as there will be local trust committees that are not stewarding the way others want."
- "The Trust Council is not monitoring or enforcing the broad vision."
- "It is hard to keep the pieces together except loosely."
- "Balancing between individual islands and the Trust Council is difficult given the degree of autonomy at the local level – some of the local trustees ignore the Trust Council and go their own way."

Some feel that one of the reasons the Trust Council can seem to be ineffective is because of its structure.

- "The federated system works to the lowest common denominator – each island does its own thing."
- "Local issues take precedence for trustees."
- "Don't meddle with each other, fail to deal with issues of a broader nature – 2 from each island may affect the way the Trust Council works."
- "The Trust Council needs to have proportional representation or a weighted vote system because otherwise it is taxation without representation."

On the other hand the federated structure has its defenders:

- "fundamental that representation as a federation be kept for the Trust Council";
- "strength is in the federation and representation of 2 trustees from each Island, with a balance of people from denser and sparser areas, it is fundamental to the object being carried out";
- "federation of the Trust Area is important to governance – global picture like Canada or the United Nations";
- "keep the spirit of the federation".

There are some who would like the Trust Council to take on additional responsibilities and accountability. They believe there is a need for some common approaches, that the overall picture is getting lost, that policies are not being applied consistently at the local level. In fact, it has been suggested that the Trust Council take on an expanded role where they become the "adjudicating body for by-laws, following presentations from the local trust committee".

- ***Opportunities***

During the interviews the following opportunities were identified.

- "The Trust Council needs to be a champion for change or it is not going to happen."
- "There needs to be a clarification of responsibilities – at the Trust Council and local level."
- "There needs to be some reassessment of the role of the Trust Council as responsible for the 'larger picture'. In the past the Trust Council "led region wide initiatives such as Natural Area Protection, but the Council has moved back to focussing on the OCPs."

3.2.2 Role of the Executive Committee

- ***Issues***

As with the Trust Council, views about the effectiveness of the Executive Committee and how it should carry out its role vary. On the whole, however, there is general satisfaction.

- "It is very easy to communicate back and forth between the Executive Committee and the Local Trust Committee."
- "The Executive Committee communicates and consults well. They ask for input before implementation."
- "The Executive Committee needs to explain its actions, to be more open about what they are doing, and maintain better contact with other trustees."

The area that some would like to see improved is bylaw review:

- "Are bylaws ever rejected by the Executive Committee?"
- "The Executive Committee does not adjudicate substance, only process."
- "The appeal process has never been organized."
- "The Executive Committee is rubber-stamping – difficult to be apprised of all the islands."
- "The Executive Committee is asleep at the wheel in directing policy especially as to how it is being applied."
- "The Executive Committee is the steward of the Policy Statement when approving local bylaws."

Other roles suggested for the Executive Committee are monitoring and evaluation, particularly with respect to the amount of development, resource extraction, and Crown land waterfront in the Trust Area. Assessing the land base of the Associated Islands and applying for planning grants to preserve and protect them is another possible initiative.

Given their responsibilities, members of the Executive Committee have very heavy workloads. Remuneration and the amount of time required are concerns, especially if they limit the ability and number of trustees who would potentially be members. Limiting terms of service on the Executive Committee has been suggested, although there is considerable opposition to this amongst trustees.

- "It takes at least 2 terms to fully learn and understand the roles, responsibilities, functioning, system/structure of how things work."

- ***Opportunities***

- Review the bylaw review process to determine whether actions can be taken to strengthen it.
- Examine the need to take on a monitoring and evaluating function.

- Review remuneration and examine ways to reduce member workload (see Section 2.2.3).

3.2.3 Standing Committees

The current Standing Committees are seen to be appropriate and "their voluntary nature means that people choose which ones to sit on which provides motivation to move forward."

3.2.4 Funding

- ***Issues***

Despite the fact that there has been only one tax increase in the last three years, the Islands Trust is facing major financial pressures. The provincial grant has been declining and as larger islands incorporate their contribution to the Trust could be considerably reduced. None of this is likely to happen immediately – grants have been declining over a period of years and there is a three year transitional period following incorporation. Nevertheless, long term solvency is a serious issue. [6]

- "Provincial revenues are shrinking, in 5-10 years it may not be there. We need to plan for this."
- "As more islands become municipalities, there will be significant financial problems for the Islands Trust (the "loss of the tax base will castrate the rest financially") – and we are going to have to deal with this."

Declining revenue will hamper the ability of the Islands Trust to maintain the status quo. Some of the possible impacts include: a decrease in/reorganization of staff and services, a streamlining of administrative procedures and planning processes, or a different way of providing services (e.g. contracting out), and a reduced ability to carry out the Object. Some would even suggest that a transfer of responsibilities to other bodies (e.g. planning to regional districts) might be necessary. The pressure to raise taxes and find new sources of revenue will increase. Linked to this is the need to ensure that there is a "balanced economy on the islands – if there is no tax base we can't support a lot of the environmental initiatives."

- ***Opportunities***

During the interviews the following opportunities were identified.

- "The solution to the financial crunch is to fix local planning service delivery."
- "Streamline all processes and cut costs."
- "Look for new revenue sources" (e.g. ticketing, DCCs, local service levies, hotel/bed and breakfast tax, fees on boaters, eco-tourism, and visitors).
- "Raise taxes – address to see if there is any conviction to do this."
- Determine provincial status on funding through grants and endowments.
- Finance service delivery in other ways and/or transfer responsibilities.
- "Develop a financial management plan for the next 5 years."

[6] The transitional period is for the provision of local planning services under contract for three years. If in addition to Bowen, Salt Spring and Gabriola incorporated and all withdrew from the planning service more than 70% of the Islands Trust's revenues would disappear.

3.2.5 *Public Perception and Awareness*

- ***Issues***

The Trust Council meets 4 times a year, usually in a different location within the Trust Area. Meetings, while open to the public, are not well attended which means that direct public exposure is minimal. For most of the public, perceptions about the Trust are formed through the media and planning and regulatory activities. There is a widespread view that public awareness of how the Trust Council works is low, that the public does not understand the Trust's structure or limited authority.

- "The system we are working in is a cross-jurisdictional morass bureaucratic nightmare – we start negatively."
- "The Trust is not seen as an effective government – too many unnecessary regulations because all the Trust can do is make regulations. There are no positive spin-offs in terms of other services that you get with a municipality."
- "Implementation is a real problem – zoning is a negative process."
- "The Trust is seen as adversarial and the public reacts negatively to that."
- "The division of responsibilities is confusing, particularly with respect to regional districts."
- "The Trust is dysfunctional – senior management is running the show, a perception that is reinforced with the office located in Victoria."
- "So many taxpayers are not part of the community with local concerns."

Even among elected officials in other jurisdictions, the Trust is often not well understood. It is "seen as unable to govern effectively when there are policies that divide communities".

- ***Opportunities***

During the interviews the following opportunities were identified.

- Continue to develop the web site: place Trust Council Minutes on the web in a timely fashion (adopt by teleconference and post); the Notebook could be transformed to provide an overview of initiatives and be made available on the web.
- "Look at achievements – focus on performance monitoring and evaluation."
- Continue to meet with regional district directors and districts, municipal officials, provincial MLAs, and MPs.
- Work harder on public education – reach out to communities.
- "Hire a communications/community relations officer" to network, respond to the media, and work with community groups (similar to the model used in the Capital Regional District).

3.2.6 *Island Incorporation*

- ***Issues***

One of the most significant issues the Islands Trust faces is island incorporation. Bowen incorporated as the first island municipality in 1999, Salt Spring is currently undergoing an incorporation study, and Gabriola and others such as North Pender and Hornby have expressed interest. As with so many other issues, views vary as to whether or not this will bode well or ill for the Trust. Views amongst trustees are the most mixed, others associated with the Trust in one way or another generally favour incorporation.

The move towards incorporation within the Islands Trust is usually seen as a response to the desire to have more autonomy and control over one's own affairs. For some incorporation is a reaction against

another jurisdiction (e.g. a regional district or the Islands Trust), for others it is a maturation or evolution. Municipal incorporation provides a jurisdiction with more independent authority, tools, and the ability to deliver and integrate planning and services.

- "Lack of authority, responsibility, lack of ability to deal with problems prompts the move to incorporation."
- "On Bowen incorporation came about as a coalition of a lot of things: it was a reaction to a situation – prefer not to have a regional district make decisions when we are paying the bills, why not administer services ourselves; get the Trust "off our back" and have 1 stop shopping; and a belief that we can do it ourselves."
- "On Salt Spring it is in response to the "thinness of the democracy."
- "Island municipalities are a natural progression."
- "Incorporation is a healthy development, a recognition by people in communities that they need to take control of their destiny, get away from a colonial relationship with the regional district."
- "Incorporation gives more autonomy to islands especially with respect to budget and taxes."
- "If taxes go up, number crunching will put even more pressure on going the incorporation route."

Although currently actual experience with island municipalities is quite limited, there is a wide expectation that it will have an impact on the Islands Trust, particularly on the ability to carry out the Object and in terms of the Trust's structure.

- "Island municipalities are a great boon as the Islands Trust should be getting out of day to day management and focussing on the broader vision."
- "Island Municipalities will test the strength of the Trust Council's ability to enforce the Mandate – if everyone incorporates the only thing left will be the Mandate."
- "There is a change in the mindset with municipalities that weakens the Trust. How do you preserve and protect with municipalities? They have a different culture and are more remote from the Mandate."
- "What will the Trust's role be in the future as a 'watchdog' especially with the planning function in municipalities."
- "With island municipalities some parts of the Trust Area can do a whole pile of things others can't do – it will point up the differences."
- "The financial impact of municipal incorporation will affect the ability to do local planning and legal work."
- "The island municipalities concept greatly complicates the administration and achievement of the Object. In the space of 20 years if there are half a dozen island municipalities there will be a bottom line and service orientation and the focus will change."
- "Incorporation withdraws these islands from the mainstream of the Trust, it has a diluting effect."
- "With incorporation subdivision approval and land use move away from central authority."

However, there is another view – island municipalities will not strengthen or weaken the Mandate, it will depend on political will.

> *"Bowen could sway others depending on how it fits in and this could affect the whole future of the Islands Trust. Bowen is not at the Trust to do local planning - planning is Council's responsibility. Bowen goes to the Trust Council to represent the Municipality on region-wide matters –the Object is front and centre. We would not be an Island Municipality without the Object.*

Foresee the relationship between municipalities and the Islands Trust as fine in principle, in detail it may not be so easy – especially where both bodies need to understand the primary authority for land use planning/zoning/subdivision is vested in the municipal council, with the Islands Trust providing an overview. There is a split in jurisdiction, a degree of difference in the amount of autonomy now present under island incorporation. What happens will depend on individuals – it has not been tested yet."

- ***Opportunities***

The emergence of an island municipality presents the Islands Trust with a new set of challenges. The incorporation of Bowen Island will probably not be the last, possible other candidates include Salt Spring, Gabriola and North Pender. In the circumstances, the three year transitional period (which also protects the Trust's funding for the short term) will provide the Islands Trust with an opportunity to adapt and adjust.

4. Land-Use Planning Service Delivery

The Islands Trust was established as a unique land use planning agency with a special conservation-oriented responsibility as represented in the legislated Object. Over the years the planning function has grown and the Islands Trust now has one of the largest planning offices in the province. The focus of planning efforts has shifted over the last decade between area-wide and local planning - from a concentration on developing the Policy Statement to a concerted effort to complete Official Community Plans and land use bylaws for each of the main islands in the Trust.

For many the challenges for land-use planning in the Trust Area are "keeping the Object ensconced in all the planning processes", keeping the "emphasis on land use planning with a focus on preserving and protecting", and "meeting the Object within the framework of the management of development." How these challenges are met depends in large measure on available tools, jurisdictional cooperation and authority, adequate human and financial resources, and political will.

4.1 Strengths/Weaknesses

The following list of strengths and weaknesses is based on comments garnered from the interviews. The various strengths and weaknesses, noted below, represent views held by a number of stakeholders and are included on that basis.

Strengths	Weaknesses
• Environmental focus	• "Greater emphasis on land-use planning than preserve and protect"
• Qualified and dedicated staff	• Allocation of resources
• Local input in the planning process	• Lack of tools/authority to carry out the objectives of the OCPs and Object
• Plans reflect differing local situations	• Overlapping jurisdictions
• Focus on land-use planning and not service delivery	• Poor bylaw enforcement

4.2 Issues and Opportunities

4.2.1 Location of Office and Staff

- ***Issues***

The main office of the Islands Trust is located in the City of Victoria and the majority of administrative and planning staff work out of that office. However, staff is also currently located on Denman, Bowen, Salt Spring and Gabriola Islands. The issue of where the office and staff should be located is a major concern to many. Views vary widely, with a

mix of views amongst trustees, staff and others associated with the Trust, although a majority would seem to favour at least some decentralization.

Those supporting a relocation of the office and staff to the Islands cite the following reasons:

- "only local government jurisdiction where the office and staff are located outside the boundaries";
- "staff have off-island perceptions and an urban bias/orientation";
- "locating staff on the islands will increase staff knowledge and understanding of the local area";
- greater access and availability of staff;
- cost of overtime for travel to meetings;
- "additional presence of the Islands Trust on islands and support for the trustees"; and,
- the electronic age makes it possible to spread staff around.

Where planners have been decentralized it is noted that – "most support for planners comes from areas where the planner is living on the island", that it has made "a huge difference in the planner's understanding of the local level."

Those who believe the office should remain in Victoria for administrative staff and some planners cite the following reasons:

- "sometimes too close for a planner on a small island";
- cost of relocation and decentralization;
- area difficult because it is so spread out – "critical mass is required for the office";
- need a strong central office and presence in Victoria – need to talk to external agencies– get directly to decision makers, close physical link is important;
- central office allows easier sharing of expertise, synergy, recruitment, equipment servicing, records maintenance, administrative support; and,
- the electronic age helps –location in Victoria is not a problem.

- ***Opportunities***

During the interviews the following opportunities were identified.

- "When an island is big enough to have planning staff it should have planner."
- Explore the use and potential of electronic technology to improve communications and operations.
- Look at having a small office of senior people with planners dispersed to satellite offices. There is considerable support for putting the main office on Salt Spring, even if Salt Spring incorporates.
- "Administrative complexity costs money – simplify the system."
- Phase in because of costs – "may be bumpy, needs care and planning".

4.2.2 Staff Issues

A number of issues exist with respect to staff that in the view of some have an impact on the quality of planning service delivery. These include:

- low morale
- burnout
- lack of professional respect from trustees and communities
- recruitment
- retention

The reasons most frequently cited for this situation include: the high demands and expectations placed on staff by local communities and trustees, stress of constant turnover resulting in a lack of stability and continuity, low salaries as compared to other organizations competing for planning services.

4.2.3 Cost of the Planning Service

Providing planning services costs money, in fact considerable amounts given the size of the planning staff and the demands for service. While many recognize that it is "important to have dedicated staff to carry out the work" and that there are continuing basic planning infrastructure costs, how much they cost and how they will be paid for is a concern. This concern has been heightened with the decrease in the provincial grant and the emergence of island municipalities, who after a three-year transition period may or may not continue to fund the Trust planning function.

- "Finances always the bottom line."
- "Scarcity of resources means that we cannot not deal with identified priorities."
- "Economies of scale might be disappearing if we lose more islands."
- "Big weakness is the decreasing Municipal Affairs grant – means less work can be done, not sufficient budget to do what is needed."

4.2.4 Planning Service Allocation

- ***Issues***

While the general rule of thumb is for planning resources to be allocated by size and population, allocation amongst the different islands remains is a long standing and continuing bone of contention, involving as it does access to planning services and the ability (or lack of) to get priorities attended to – "one of the biggest problems is the difficulty of getting resources equal to all of the Islands needs". The structure is "conducive to competition for resources". With so many local trust committees and an island municipality "spread all over the place, it is difficult to manage and provide planning advice".

The question of who pays and who gets service is central.

- "Everyone pays but not everyone gets service – some remote islands 'subsidize' larger islands – should be a political decision to say where time and resources are allocated – should take into account geography as well as population."
- "Small islands benefit the most – OCP, land use by-law –subsidized by larger islands, needs of larger islands are not being met efficiently."
- "Associated islands have been largely ignored."

Although there is a work program to allocate resources, in the past it has frequently been disrupted by crises and changes in trustees.

- "Galiano and Pender have chewed up all staff and planning time leaving other islands with very little opportunity to use staff – brush fires caused by residents of those islands have drawn away resources."
- On occasion when new trustees are elected with a different set of priorities/values from their predecessors "they request changes to the planning work that has already been completed or is underway. This can result in further resources going to an island that has already received a considerable amount."

- "Local trust committees generate work by their very existence – sometimes gets out of hand especially the level of public process when combined with development management."

There is a view held by some that the organization of the planning staff is not working:

- "it is not what an island needs"
- "there is a lack of coordination"
- "there is a lack of sharing of knowledge and information amongst the islands and the wheel is constantly being reinvented"
- "the administrative burden of servicing overwhelms the actual work they do", and
- "the planners seem to have too much to do".

In Bowen's case the lack of coordination is seen to be a particular problem: "Bowen encounters coordination problems with the planning service falling under the working groups and the approval authority under the municipality – the two may not always be in alignment." It appears that this is an area that "was not examined sufficiently in the restructure study. There are gaping holes, especially in terms of the relationship with other bodies like the GVRD and the Islands Trust."

Lack of accountability for the allocation of staff time and resources – how much is being spent, where and for what is another concern often expressed. The perception exists that "some get more than their share". This results in frustration and feelings of unfair and unequal treatment that ultimately, some believe, undermines the credibility of the Trust.

- "Local planning needs to be seen to be both efficient and effective."
- "No control of staff – do not control local budgets except for small things. How much time is spent on different islands – needs more accountability."
- "No value for money formula."

- "Top heavy with administration, too little serious planning, needs are not being met."
- "Allocation of resources needs to be certain and regular."

- ***Opportunities***

During the interviews the following opportunities were identified.

- Different process/resource allocation are needed for crisis management.
- Continue with the new system designed to ensure greater accounting of staff time, where the planning team will meet with local trust committees every quarter and with the Local Planning Committee, the Executive Committee will monitor with reports every 2 weeks, and a bar graph will be used to indicate use and resources remaining.
- Encourage the use of the work program and "use resolutions to allocate staff time and to know what everyone is requesting by way of service".

4.2.5 Planning Process

- ***Issues***

A large number of concerns exist with respect to how planning is actually conducted, i.e. the planning process itself. These concerns have their roots in the structure and character of the Trust Area. Amongst the issues most often noted are the following.

- "There is an inconsistent approach to how land use planning is done and applied on 13 different islands groups. There isn't an agreed upon methodology used for all the islands - each island develops on its own."

- "The legislation is a self-fulfilling prophecy of failure – two many separate corporate entities."
- "The planning process is flawed – there is very little attempt by planners to get the community to agree on what the problems/issues are. It is difficult to resolve issues where there are diverging interests."
- "The OCP represents a small minority – not the whole. There is a need to ensure that advisory planning committees have a wider range of people to communicate with and react to ideas."
- "There is too much red tape and bureaucracy. The process is long (with much backlog and many delays) and convoluted –have to refer, twist, and turn tools to fit."
- Development applications are handled in different ways on different islands. This is partly a function of size – on Salt Spring local trustees do not see applications that conform to bylaws, on the smaller islands, however, "applications become a huge issue with an extended public process."
- "When doing bylaws they never learn from each other – unaware of what is happening on other islands."

❑ ***Opportunities***

During the interviews a number of opportunities were identified. Some already exist, although not everyone may be aware of them, e.g. a checklist for development applications as they relate to the Object, staff exchanging ideas for use from one island to another, and planning templates to achieve greater uniformity for standards.

- "Review administrative rules dealing with correspondence."
- Continue with new program management system aimed at delivering OCPs on a timely basis.
- "Develop service guidelines."
- "Trim bylaws to reduce administrative costs and streamline the by-law approval process – look at Bowen's process."
- "Develop a best practices policy manual."

4.2.6 Politics and Planning

❑ ***Issues***

It is not unusual for planning and politics to be mixed, although the degree to which they are varies from place to place and by the particular activity or issue being dealt with. For many observers, however, the degree of mix on the Islands is seen to be excessive; for others it is seen to be essential for meeting local needs.

The extent to which planning and politics are mixed on the Islands is thought by some to be a result of the single purpose nature of the Trust, with its overriding focus on land-use planning, the lack of access and availability of staff resources, and the complex inter-jurisdictional governance framework.

The situation is viewed in the following ways.

- "Need a better distinction between the roles of professional planning staff and elected officials."

- "Too much policy comes from staff."
- "Local trust committees are micro-managing due to the intensely participatory style in the islands."
- "There is an overlap into administrative issues by trustees."
- "Trustees want to be involved in all things, they do not let staff do their job."
- "Staff are faced with inconsistent expectations from trustees."
- "Too much day-to-day involvement has come to be expected of trustees."
- "Trustees may not have as much technical support as they need which can result in decisions that are more political than they need to be."
- "Planners have no control over what they are doing, they are not part of the loop - advisory planning committees, local trust committees and lawyers have taken over."
- "New trustees want to rewrite plans."
- "Internal inconsistencies result in the wording of bylaws due to political and community interference. Residents don't have a regard for legislation and legal niceties – adds to the difficulties as plans and bylaws can't stand up in court."
- "Island OCPs are some of the longest in the province – they are essentially a listing of what the Islands want."
- "Too much money is being spent for inadequate planning - elected trustees have conflicting demands with planning processes.
- "The single purpose nature of the Islands Trust encourages a hands-on approach from the community and the local trust committees."
- "Detailed bylaws result because residents and trustees are scared of what government will do, especially as so many external agencies are involved."

- ***Opportunities***

During the interviews a number of opportunities were identified.

- Clarify roles, procedures and processes and develop understanding.
- "Model by-laws could be drawn up – don't keep reinventing the wheel."
- "The Trust has authority to develop region wide procedures bylaws but they have not exercised this – might avoid legal liability."
- "Learn from other local governments with less political involvement in technical issues."

4.2.7 *Jurisdiction*

- ***Issues***

The Islands Trust has jurisdiction over local land-use planning, but it is dependent on many other jurisdictions for implementation. For many, this is a large concern:

- there is a "lack of authority and responsibility to carry out the Object, can spell out the wishes but cannot implement"
- there is "no connect between planning and service delivery"
- "just about every enforcement issue crosses jurisdictional boundaries"
- there is a "lack of clarity of responsibility between jurisdictions on land use planning"
- have to "wait a long time before moving forward, the process is laborious with referral to 23 agencies for review"
- "the public needs clarity on who they should approach for what".

Protocols have been developed as a basis for establishing a cooperative working relationship with other jurisdictions (see Section 1.2.5), however many would like to see the Islands Trust have greater authority for dealing with external agencies and, some in fact, would like to have veto power or have the Trust itself take over the function. Working relationships vary – some appear to work well, others less so.

There are a number of key external agencies whose policies and actions have a significant impact on the Trust Area, in particular on the achievement of the Object and the goals and objectives of local OCPs.

4.2.7.1 Ministry of Transportation and Highways (MOTH)

The two key areas that MOTH has responsibility for that affect the Islands Trust are subdivision approval and road standards.

(a) Subdivision Approval

While, there are mixed views as to whether or not subdivision approval should be transferred to the Trust, the vast majority of trustees and many others in external agencies believe it should. The following comments are illustrative.

- "I like MOTH having subdivision approval – it is removed from the fray. If it became local it would be difficult on the local political scene."
- "The Approving officer is too distant from the issues to understand what is going on. The function should be given to the regional districts – I don't think the Islands Trust would be able to distance themselves."
- Subdivision approval "introduces an element of public works into the Trust which is counter to the intent of the legislation".
- "Subdivision approval is needed! MOTH does not understand 'preserve and protect', sensitivity is required."
- Subdivision approval would provide the Trust with a "means for managing growth".

Although the legislation has been changed allowing MOTH to transfer subdivision approval to regional districts, it has yet to happen. Evidently the mechanism is long and costly and liability for past approvals is an issue, although the question has been asked – how often is the approving officer in court now. Another reason why transfer to the Trust has not occurred, although the request has been made, is the fact that subdivision servicing by-laws are "not bullet proof" and until they are the province will not hand over
responsibility.

(b) Road Standards

Although MOTH has developed a set of alternative road standards for the Islands, many still do not believe it is adequate – "road standards are not appropriate for rural areas", the "package is not always appropriate".

- ***Opportunities***

  - Two-thirds of the Trust Area's by laws have been tightened up, but subdivision bylaws are "still no good" and development permit guidelines need to be developed. One suggestion for

addressing this issue is a moratorium on processing applications that would allow time to get planning up to date and facilitate the eventual transfer of subdivision approval to the Trust.

- Given the support for local control and/or influence on the issue of road standards, some feel the *Islands Trust Act* should allow the Local trust committees to have the authority to determine standards. Others feel that a concerted effort needs to be made to convince MOTH to alter its requirements.

4.2.7.2 Ministry of Forests/Forest Land Reserve (FLR)

The future of forested lands in the Trust Area is a highly contentious issue. Some are opposed outright to any logging, others favour the use of selective and sustainable logging practices. The issue is further complicated by land ownership (and whether the lands are public and private) and by the extent to which on-island employment and economic development should be encouraged. While views are diverse in terms of what should be done, most agree that the present situation is not acceptable.

- "The FLR ignores the Islands Trust."
- "The Islands Trust has no authority over the FLR."
- "The forests are being cut to the lowest standards in the province – the *Islands Trust Act* should be beefed up to protect forests."
- "The Islands Trust does not have tools under current legislation to protect the forests."
- "Have to prevent tree cutting – enforcement is an issue."
- "The Islands Trust is powerless to do anything about sustainable forestry practices and enforcement."
- "Control industrial logging – that is the thing – needs to fit into the Mandate."

❑ ***Opportunities***

- Local regulations that have some teeth.
- A better relationship with the FLR.
- Natural Area Protection Tax Incentive proposal.

5.2.7.3 Agricultural Land Commission/Agricultural Assessment and Taxation

Sentiments similar to those expressed about the authority and lack of sensitivity of the FLR towards the Trust, are also expressed about the Agricultural Land Commission, e.g. "the ALR doesn't have a clue as to how agriculture operates on the islands."

There is "a continuing situation where a number of owners on the islands suggest that assessment is not sympathetic to the Trust Object, e.g. farm classification and how to maintain an agricultural life style on the islands. Residents want treatment more relevant to the Islands Trust area." The BC Assessment Authority has "requirements that are province-wide that require certain conditions to be met if land is to continue to be classified as farm land, otherwise it is assessed as residential." Complicating the situation, there is not a class for protected or preservation areas, although some would like there to be to be.

Island incorporation may also affect agricultural lands. Some hold the view that municipalities will be more concerned about taxes, especially when faced with service costs. "Pressure on the bottom line" may lead to tax increases that could make it difficult for owners of large farm holdings, who in turn may find it more profitable to subdivide and develop.

Because of the way in which the rural tax works (there is one rate throughout the province), there has been an increase in taxes for rural properties in the Trust Area where values have increased, but not elsewhere in the province where they haven't. "People are not inclined to develop their property if taxes are low at least for the current generation". Perhaps what is required are regional rural tax rates, however, this is not currently under consideration.

- ***Opportunities***

  - The Natural Area Protection Tax Incentive proposal will provide an opportunity for the Islands Trust to exempt property from tax. It will "demonstrate that government is sympathetic in helping people to preserve their land", however it will be a permissive exemption and not everyone will follow-through (private property rights). Implementation of the tax incentive proposal will at most result in an 8 to 9% shift in taxes revenue (spread over time); in any case it is estimated that the shift can be absorbed within 3 to 5 years of normal growth in the tax base. Advocate for changes to the Rural Tax rate.

4.2.7.4 Ministry of Environment, Lands and Parks/BC Assets

When the Islands Trust was created Crown lands were not turned over, nor have they been since.

- ***Issues***

  - ownership and use
  - local control and influence
  - Aboriginal land claims

- ***Opportunities***

  - The Public Lands Strategy which is aimed at "getting a clear sense of what the future should be, based on the status and suitability of the land, and how complementary zoning can be used to achieve it". While the process is underway "only getting the registry up to speed" – liens, mineral claims, treaty negotiations are a factor. As part of the strategy, a consultative process will be conducted by the Islands Trust. However, "the province may get involved to ensure that the process is complete and all interests are heard from".

4.2.7.5 Ministry of Municipal Affairs

- ***Issues***

The Ministry of Municipal Affairs, given its responsibility to oversee local government in the province, has a particular relationship to the Islands Trust: many parts of the *Municipal Act* apply to the Islands Trust; the Ministry provides planning, restructuring and operational grants; and Ministry staff can "facilitate communication between the Islands Trust and other government agencies on policy matters".[7] Further, as set out in the *Islands Trust Act*, the Minister has a particular role, approving the Policy Statement and providing an avenue of bylaw appeal. For many of the governance issues identified in this report to be resolved, support from the Ministry will be essential.

[7] Policy Statement, p. 1.

- ***Opportunities***

During the interviews a number of opportunities were identified:

- identification of planning and regulatory tools that would assist the Trust in carrying out its responsibilities, with inclusion of those tools in the *Islands Trust Act*;
- having the ability to use the legislative provisions for regional growth strategies;
- participation in the on-going review of the *Municipal Act*;
- undertaking a Trust Area governance study;
- strengthening the overseer role of the Minister in terms of the "provincial interest".

4.2.8 Bylaw Enforcement

- ***Issues***

The Islands Trust has one bylaw enforcement officer, located in Victoria. Bylaw enforcement is often difficult at the best of times, in the Islands Trust it seems to be particularly so. Key issues include the following.

- *Lack of adequate resources for effective enforcement* - "totally pathetic, too large an area to cover from Trust office"; " what bylaw enforcement? – 1 person is not enough – people now know there is no enforcement so everyone is breaking the laws — so bad for so long now have a huge problem".
- *Amount of enforcement desired* – "need to be more aggressive, but can lead to legal action – dilemma is where to put efforts"; "quite content for by-law enforcement to be taken slowly – can usually achieve compliance if time is taken."
- *Interpretation and lack of clarity in bylaws – are* regarded by some as a greater problem than enforcement itself.
- *Political interference/lack of control* - "local trustees have no control over what infractions are dealt with – no idea of what to enforce, no local input."
- *Overlapping jurisdictions and responsibilities* – "Achilles heel – duplication of services with the regional district"; "needs clarification as to who is responsible"; and, "problem is 7 regional districts knowledge of each OCP."

- ***Opportunities***

During the interviews the following opportunities were identified.

- Sharing with some of the regional districts on bylaw enforcement – contract out for a closer and quicker response.
- Improving bylaws to permit better enforcement.
- Ticketing – work out enforcement and collection issues.

4.2.9 Other Regulatory Tools

There are a number of other tools that some feel would be useful for the Islands Trust to have or be able exercise some influence over, especially with respect to environmental protection. Suggestions include:

- Greater scope in zoning and subdivision to deal with environmental protection for sensitive areas, water supply, ground water recharge areas, streams, elevated ground water, estuaries, water leases, docks, forests, etc.
- Business licences - need to get a handle on commercial activity.
- Exclusion from the Condominium Act for bare land strata -"rips the place apart".
- Tree cutting bylaw authority.
- Building permit by-law authority.

In addition, the issue of parks definition and dedication and who has jurisdiction for what is an issue some feel needs to be sorted out, with more control and authority being given to the Trust.

Similarly, some feel that while the regional districts can keep regulatory authority, they should be developing those regulations in consultation with the Islands Trust.

5. *The Trust Fund*

The *Islands Trust Act* established an Islands Trust Fund "...for the purpose of carrying out the Object of the Trust" and a Trust Fund Board "... to administer the trust fund and to manage the real and personal property assets of the trust fund." The Board is comprised of three representatives elected from the Islands Trust Council and three public-at –large representatives appointed by the Minister of Municipal Affairs and has been assigned one full time and one part-time staff person to coordinate programs and provide clerical support.

The Board is authorized to acquire and hold money, land, and interests in land for purposes of carrying out the object of the Islands Trust. The Board works with and assists local conservation groups, local land trusts, non-government agencies, and government agencies to conserve and protect significant areas by:

- accepting and holding donations for local fundraising initiatives;
- assisting in the purchase of properties;
- assisting in the registration of covenants;
- having local interest groups manage properties owned by the Trust Fund Board; and,
- providing information on conservation techniques, where possible.

5.1 Strengths/Weaknesses

The following list of strengths and weaknesses is based on comments garnered from the interviews. The various strengths and weaknesses, noted below, represent views held by a number of stakeholders and are included on that basis.

Strengths	Weaknesses
• wide support in principle	• lack of resources
• conservation arm of the Trust	• insufficient trustee understanding
• use of covenants	• board turnover and link to the Trust

	Council
• strengthens the Trust's object	• lack of provincial commitment
• public land conservancy	• name
• work with other conservancies and property owners	• overlap with other conservancies

5.2 Issues and Opportunities

2.2.5 Trust Council Understanding and Support

- ***Issues***

It is frequently acknowledged by trustees, staff, external agency representatives and others that it is "hard to get enough understanding from the Trust Council", that there is a "struggle to keep the Trust Fund from being marginalized", and that the Trust Council has "not really taken ownership".

While it is widely recognized that the Trust Fund and Board is the conservation arm of the Islands Trust, there is some ambivalence about its value and effectiveness.

- The majority of trustees, at least at the ***conceptual level***, support the Trust Fund and its work particularly for its preservation and conservation role – "it is an integral part of the Islands Trust".
- Many trustees indicate that they have little or no knowledge of the Trust Fund.
- A minority of trustees do not feel the Trust Fund is effective and that resources could be better spent otherwise.

- ***Opportunities***

It is broadly acknowledged that the Trust Fund is "at a crossroads", that there is "an important job to do with the Trust Council".

- The Trust Fund is the "key to strengthening the Trust, with the Object it is what sets the Islands Trust apart".
- The Trust Council "can play a significant role" with respect to the Trust Fund Board's ability to carry out its mandate.
- Trust Council appreciation and understanding of the Trust Fund can be fostered through efforts such as the "Adopt a Trustee" program (establishing a one on one contact between members of the Trust Fund Board and the Trust Council), and the provision of workshops for trustees as part of or separately from Trust Council meetings/orientations.

5.2.2 Resources

- ***Issues***

There is widespread ***philosophical*** support for the Trust Fund amongst trustees, staff, senior government representatives and others associated with the Trust. However, there is a wide divergence of views as to the extent to which the Trust Fund should be supported in ***real*** terms with additional resources. The fundamental question to be decided is whether the Trust Fund is meeting the needs of the Islands Trust or whether or not it should be changed.

While many feel that the Trust Fund "may be the best tool to preserve and protect" they also feel that "its usefulness has not been recognized and supported" particularly in terms of financial and staff resources. In short, many believe that the Trust Fund is "very circumscribed in terms of its ability to function effectively as the conservation arm of the Trust".

- "Budgets have been reduced and the Trust Fund Board has been trying to do more with less."
- "Staff resources are insufficient to carry out the work of the Trust Fund – staff is overworked and there has been a high turnover on the clerical side."
- "The demand for projects is on the increase."
- "As the Trust Fund acquires more property, maintenance of the portfolio will require more resources."
- "So much of the land is in private hands but the Trust Fund has no money to buy."

However, not all agree that the Trust Fund requires additional funds and there is a wide range of views about how funds could be acquired. The Trust Fund Board itself has initiated a fundraising campaign to raise $3.5 million - $2 million for an endowment fund, $1 million for conservation, and $0.5 million for on-going projects.

- There is some question as to whether or not there is sufficient public support and ability to attain the $3.5 million fundraising target."
- There is a reluctance on the part of many trustees to raise taxes to support the administration and development of the Trust Fund.[8]
- Tax dollars cannot be used for property acquisition, nor can debt be incurred, limiting the potential for achieving the goals of the Trust Fund.

The view that the Trust Fund should be disbanded and its resources reallocated is one option that some would pursue. However only a small minority favour this approach – certainly it is **not** shared by the majority.

Opportunities

During the interviews the following opportunities were identified.

- The Trust Council has the authority to direct where funds will go, but it will require political will to raise taxes.
- Including the Trust Fund as a line item on the tax notice.
- Partnering with other agencies to combine resources is one way to expand available resources.
- A significant public campaign to raise public awareness of and commitment to the Trust Fund's mandate could increase available funds for property acquisition and bequests of property to the Trust Fund.
- A communications capability could aid in maximizing public awareness and trustee understanding of the Trust Fund.

[8] At the Trust Council meeting of March, 2000 a majority of Council members agreed to raise taxes to provide additional resources for the Trust Fund.

5.2.3 *Role of the Province*

- ***Issues***

Given the focus of the Trust Fund and its clear link to the conservation intent of the Trust Object, many feel that the province should play an active role in assisting the Trust Fund – with a "dedicated provincial contribution". The Trust Fund is "serving the provincial interest and should be supported by the provincial tax base". Opposition to raising Trust Area property taxes to support the Trust Fund frequently rests on that premise.

The lack of provincial assistance is historic. When the Trust Fund was established in the *Islands Trust Act*, the province did not at that time put any money into the Fund. Given the current state of provincial finances, several of those interviewed feel that it is unlikely that the province will change its approach.

- ***Opportunities***

In addition to or rather than direct provincial financial assistance, there are a number of alternative means the province could use to support the objectives of the Trust Fund:

- an enhanced provincial land acquisition program – "opportunities exist right now – seize the opportunity - do the next round of provincial acquisitions – get international cooperation - reinvigorate the relationship between the US and Canada";
- "The Trust Fund and Council should pursue the transfer of land from the province";
- permitting land dedicated during subdivision to go to the Trust Fund rather than the Crown;
- working cooperatively with the Trust Fund Board and the Islands Trust on the Public Lands Strategy;
- working cooperatively with the Trust Fund Board and the Islands Trust to develop local management contracts to assist in managing the portfolio; and,
- if the current Object were to stay in place, it "might be possible to turn the administration of crown lands over to the Islands Trust, using an arrangement such as the head lease situation in West Vancouver".

5.2.4 *Tools and Planning Processes*

- ***Issues***

A number feel that the Trust Fund's effectiveness is limited by not having the necessary tools to carry out its mandate.

- While the use of covenants is considered appropriate, many feel that the inability to use tax dollars or referenda for land acquisition or to incur debt is restricting.
- The proposed Natural Area Protection Tax Incentive enjoys considerable support amongst trustees, however it has yet to be given legislative approval.
- Getting the Trust Fund "on-line" is also considered important.

Some note that the Board "tends to react to the flavour of the day, that it is reactive to current situations." It has been suggested that the Trust Fund lacks:

- a longer term planning capability;
- a strong system plan focused on values and land;
- a public lands strategy; and,

- a forum within which to make rational decisions.

The Trust Fund does not operate in isolation from other conservancies – it works in partnership and liaises with others operating within the Trust Area. At the same time, however, it is not uncommon for people and groups on individual islands to be working independently with other conservancies. The role of other conservancies in the Trust Area and their relationship to the Trust Fund and local trust committees is a matter of some concern to those who feel a greater coordination of activities is required or that other conservancies should deal only with the Trust Fund.

❑ ***Opportunities***

It is often useful to look at how other jurisdictions approach conservation and whether or not there are tested tools for achieving success. Some potential areas that could be examined include:

- the CRD and its consultation process for its *Regional Green/Blue Spaces Strategy*; and
- San Juan Country in Washington State, specifically its tax incentive program and its land bank (where 1% off the sale of every property is used for preservation).

Because the Trust Fund is a "government land conservancy" with some ability to tap into tax monies and operates within the legislated Object of the Islands Trust, many feel that its role can be significant given adequate resources to carry out its mandate and work program. Some potential areas of opportunity include:

- improving the ability to carry out system monitoring and covenant processing;
- linking the Trust Fund's conservation program to land use planning;
- coordinating and cooperating with local and senior governments to identify, acquire and protect significant properties;
- liaising with other conservancies and developing partnerships to maximize resources; and,
- using the Object of the Trust to enhance public awareness of the need to conserve and how conservation can be achieved.

5.2.5 Trust Fund Board Operations

❑ ***Issues***

There are a number of issues with respect to the Trust Fund Board itself, including:

- the name of the Board – some feel that it does not describe what the Trust Fund Board does and that "it is often confused with financial institutions";
- the size of the Board – some feel that it is too small to carry out major conservation work over such a large area;
- Board turnover – some feel that the considerable turnover results in lost time and efficiency;
- the relationship of the Board to the Trust Council – some feel that the work of the Trust Fund Board is not well understood or supported (see above);
- the budget process – some feel the fact that because "only half of the Board is at the Trust Council when the budget is being considered the ability of the Trust Fund to gain adequate resources has been weakened";
- Board composition - some feel that one of the strengths of the Board is the inclusion of provincial appointees to represent the provincial interest;
- the relationship between the elected and appointed members – some feel this is critical and "while the relationship has improved, in the past there have been problems"; and,

- organization – some feel that there may be "a better way" to deal with the organization of the Trust Fund Board, given the amount of work and area to cover and "that a review of the effectiveness of the Board structure is needed".

- ***Opportunities***

To address many of the issues listed above, changes in legislation may be required. For some other issues, changes can be made by the Trust Council and Trust Fund Board (e.g. organization and budget).

D. Governance Options

Many acknowledge that the Islands Trust is in "transition", that there is a need to review the governance structure. There is "no magic bullet but we will have to accept some change as conditions are changing". Not the least of these changes is the emergence of island municipalities. The "time is right to correct the representation issue after 25 years of growth". Many prefer change to be "evolutionary rather than abrupt".

In general, issues around governance centre on such principles as accessibility, accountability, efficiency, simplicity, responsibilities and authority. In posing options, several key themes continually emerge and these are summarized below. These themes are also identified in the various sections contained In Part C of the report – and in more detail.

- how to ensure the ability to "preserve and protect" is not only not diminished, but is enhanced – "need to consider options to area governance to achieve the Object"
- how to strengthen the provincial interest
- how to ensure local autonomy and adequate local representation
- how to improve accountability
- how to minimize conflict
- how to improve the relationship of the parts to the whole
- how to reduce the complexity and number of overlapping jurisdictional responsibilities
- how to improve relations with external agencies
- how to provide the Islands Trust with special and additional regulatory authority

If a governance study were to be undertaken there are a number of other issues that trustees feel should be examined in detail with respect to each and all options identified. These include:

- revenue projections, including alternate forms of taxation and funding
- costs
- the implications of linking land use planning and service delivery
- the feasibility of implementation and how implementation would be carried out
- a comparison of options in terms of their ability to regulate land use, work load, finance, representation, etc.

The following section sets out a number of governance options that have been suggested by those interviewed. Each deals with governance at the local and area wide level. The order in which they are presented has no significance in terms of preference. The specific options put forth for consideration include:

- maintaining the status quo
- creating a municipal structure
- establishing a commission
- establishing an Islands Trust regional area
- establishing a "county" form of government

- abolishing the Trust and,
- re-examining/expanding the boundaries of the Trust.

1. *Maintain the Status Quo*

Most trustees and certainly most others associated with the Trust in some way acknowledge that change is desirable and necessary – maintaining the status quo is "not feasible in terms of changing circumstances". However, there are some for whom the status quo (perhaps with some modification) is a preference.

- "Should not touch the Islands Trust."
- "Another form of government should only happen if they uphold the object – okay the way it is."
- "The greatest opportunity is to try to work with the regional districts and see if some sort of working protocol could be developed in areas of subdivision function, by-law enforcement and business licences."
- "The best route to go is to strengthen the local trust committees to make them work better and to strengthen the provincial interest."
- "Place regional district directors on the local trust committee – to provide a link between the Trust and the various regional districts and a third member on a local trust committee – this could address concerns arising from insufficient representation."

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Maintain the Status Quo'* these issues should be considered.

2. *Create a Municipal Structure*

There is some support for creating a municipal governance structure for the whole of the Trust Area (i.e. one municipality for the entire area). A variation on this option would be to move towards establishing additional island municipalities on individual islands or bringing several islands together to form a municipality. Municipal status would provide islands with the additional tools and responsibilities that many feel are needed. In a situation where the whole of the Trust Area becomes a single municipality, the Object could remain as a key focus or mandate. In a situation where several municipalities would be created within the Trust Area and, if there was a desire to maintain the Object, there needs to be some consideration of how this could be achieved.

- The Islands Trust has "got to change or it will collapse" – need to look at "several self governing larger municipal islands with smaller islands joining together to form municipalities".
- "In the long run, island municipalities will undermine the authority of the Trust leaving it without a role – put municipal type authority into the Trust itself."
- "Bring all the Trust Area under a municipal structure, with the Islands Trust as a supervisory body."
- "Allow bigger islands to become municipalities, attached to their existing regional district and make smaller islands into a regional district that can pool resources amongst smaller islands."
- "Might be better to move towards municipal status for each island, with the Trust dealing with environmental issues."

Where it is suggested that larger islands or a group of islands incorporate, the "basic framework of a town council" could be established: it might include 5 people (per island or group of islands) which

would be "large enough to deliberate with the appropriate public to ensure fairness, objectivity and opposing views are heard"; hold regular meetings, and be supported by a clerk and possibly a by-law enforcement officer.

Depending on what form area wide governance takes, a federated structure could still be used if something like the present Trust Council was retained. After all, Bowen presently sends only two members of its seven member municipal council to the Trust Council. Using a double direct method of selection allows the public to choose and a degree of accountability.

Those concerned about this option raise the following points.

- "Island municipalities would not work on a small island – could not get 7 people to run for council, it is a lot of government for a small island."
- "Island municipalities may begin to erode the Trust aspects and the federation will disappear if there are too many municipalities."

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Create Island Municipalities'* these issues should be considered.

3. *Establish a Commission*

There is considerable support for the Islands Trust to be governed through a Commission. The Agricultural Land Commission and the Niagara Escarpment Commission are the models that many suggest should be used. When the Islands Trust was first established it had a Central Planning Committee not dissimilar to this suggestion. Another model to look at it is Adirondack Park in New York State.

As envisaged, the Commission would have the following features:

- it would be a provincial level agency
- it would have its own legislation that would override other Provincial acts ("review with opportunity to intervene as well as provide input/coordination on other provincial initiatives")
- it would have an " approval only function" planning would be done elsewhere
- it would act as a "watchdog and monitor"
- it would focus on the Mandate and be separate from local government
- it would represent the "provincial interest"
- it would be paid for by the Province ("may be more cost-effective than the current structure")
- it would develop an approved provincial level plan that all must adhere to, local plans would have to be in conformance
- it would need a secretariat to work in cooperation with other agencies
- the Trust Fund Board could be an arm of the Commission

There are number of ways that Commission members could be selected:

- appointed by the Province ("persons with expert knowledge")
- one member from each local trust area (elected or appointed – "if the legislated Mandate was more clearly defined")
- from adjacent regional districts and municipalities (elected or appointed)
- from other parts of British Columbia

- or, a combination of one or more of the above.

While this option could provide a governance structure for carrying out the Object, an appropriate governance structure to meet the needs of island residents at the local level would have to be determined.

It should also be noted that accountability can vary when officials are appointed. The direct link between an elected official and constituents at election time (and in-between) would not exist. In the case of a Commission it would be interesting to know to whom appointed members would be accountable – to the Province, to the local area or both. This is an issue that many appointed Regional Health Boards are currently dealing with.

There are no guarantees, even with a screening process, that political interference/partisan interests will not be a factor in the appointment process. Furthermore there are no guarantees that appointed officials, even with a clearly set out Mandate, would always exercise their judgement in a way that all in the Trust Area might agree with.

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Create a Commission'* these issues should be considered.

4. *Establish an Islands Trust Regional Area*

There is considerable support for establishing a two-tiered regional governance structure over the whole Trust Area, although support is by no means overwhelming. Views are mixed amongst trustees as well as amongst others. The particular model favoured by some has been described as a 'Special Regional District" (SRD), however others feel that this term is "inflammatory" and should be avoided.

In any case, what is envisaged is something akin to regional districts, but tailored to fit the particular circumstances of the Islands. This regional governance structure would have many of the same powers and authority as regional districts elsewhere in the province. What would make it "special" or different would be the overriding provisions of the Object and possibly "a degree of island autonomy" for unincorporated areas. There are a number of other examples of legislation in the province specifically designed to meet particular situations. Those frequently cited include the *Vancouver Charter* and the legislation establishing the Resort Municipality of Whistler.

Some believe that the Island's Trust "needs the identification as a group unto itself self or it will come unglued", that the "area is a natural". Those in support of establishing a regional governance structure also cite the following reasons. Such a structure would:

- bring the Islands Trust more into "the line of conventionality" with the provincial local government structure;
- provide "more accountability from cradle to grave and integrate planning and service delivery";
- make "the function of land use planning more consistent, allow for weighted voting and opting in and out of services"; and,
- "reinforce the Mandate by giving the Islands Trust more control".

Those who do not support the establishment of such a structure do so for the following reasons.

- The Islands Trust was "never designed to function as an independent entity".

- An SRD is "pie in the sky – the area is too spread out to deliver services (e.g. solid waste disposal)".
- An SRD is "nuts – how would it handle solid waste disposal, it would be impossible to administer answer, providing services is not consistent with preserving and protecting".
- An SRD is "ludicrous – how would it be governed, patterns of travel are important to a governance structure".
- An SRD is "absolutely ludicrous – would have to contract other services and we would end up paying a premium. It would be a waste of tax payers dollars to do the same services as are being provided now – no benefit, lots of costs."
- "The present system is inefficient now, if the scope is expanded the inefficiency will be exacerbated – what does a special regional district mean, it needs to be thought through. Planning can get crowded out by service delivery. Having the powers of a regional district would not help to meet the Mandate. Go through existing regional district services and check off what is needed to fulfill the Object."

Attitudes towards costs are interesting to note.

- "An SRD is the option – go that route and get revenue that goes to the regional districts now."
- Some trustees see establishing a special regional district "as a way of recovering some of the financial space lost".
- An SRD is the "only way to go – expense is not an issue, the islands are already expensive".
- The solid waste issue – "comes from regional districts themselves".
- Some islands are currently paying for regional district services although they receive none, "need a resolution where local services paid for are not subsidizing areas outside of the Islands Trust".

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Establish an Islands Trust Regional Area '* these issues should be considered.

5. *Create a County Government*

One of the options that some trustees would like examined further is the "county" style government that exists in the State of Washington's San Juan Islands.[9] San Juan County is not unlike the Trust Area - it has 176 named islands and reefs and covers an area of 175 square miles with a population in 1997 of 12,500.

The County was established as part of the Washington Territory in 1873. It has three districts and a three person Board of Commissioners. Each district is represented by a commissioner who resides there. However, the commissioners are elected by the entire county and hold 4 year staggered terms. The Board meets every Tuesday as well as other special meeting days.

The commissioners' main roles are as follows:

- as the legislative authority of the County
- as the approving authority for annual County budgets
- as the body responsible for County property and funds

[9] Information about San Juan County was obtained from their web site – www.co.san-juan.wa.us.

- as a land use appellate body
- as the body responsible for providing county infrastructure, roads and buildings
- as the body fixing the amount of County taxes according to law
- as a franchising authority.

County Governments in Washington State, including San Juan County, serve three major roles: as an agent for the State, as a regional government, and as a local government. The responsibilities and services provided by each of these are listed below.

State Agent	Regional Government	Local Government
• Prosecuting Attorney • Public Defender • Superior Court • Juvenile Court • Jail • Juvenile Detention • Medical Examiner • Mental Health • Developmental Disabilities • Alcoholism and Drug Abuse Programs • Elections • Treasurer • Document Recording • Vital Statistics • Property Tax Administration • Vehicle and Marriage Licenses • Regional Government • Local Government	• Specialized Law Enforcement • District Court • Domestic Violence Services • Medic I • E-911 and Central Dispatch • Public Health • Aging Services • Housing Programs • Energy Assistance and Weatherization • Veterans Assistance • Cooperative Extension • Animal Control • Emergency Management • Search and Rescue • Countywide Growth Management Policies • Solid Waste Management • Economic Development • Tourism • County Fair	• Law Enforcement • Roads • Land Use Planning • Development Regulations • Building Permits • Parks and Recreation • Garbage and Recycling • Surface Water Planning and Control • Weed Control

Funds for the county come from various sources. These include: property taxes, local optional sales taxes, hotel and motel taxes, licenses and permits, state and federal grants, fees for services, and fines and forfeitures.

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Create a County Government'* these issues should be considered.

6. *Abolish the Islands Trust*

The view has been expressed, albeit by a small number of those interviewed, that it is time to "declare victory – get rid of the Islands Trust and let it evolve for the next 25 years". Underlying this statement is the suggestion that the Trust has served its useful purpose and it is time for the area to be attached

perhaps to the Georgia Basin Initiative, become a Marine Protected Area or a "preserved area", or be "hived" off to adjacent regional districts. It should noted, however, that even amongst those who support abolishing the Trust, there is concern that if the Trust were to disappear "it is okay as long as the basic Object is kept through some other means".

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Abolish the Trust'* these issues should be considered.

7. *Re-examine/Expand Trust Area Boundaries*

Many feel that the need for the Islands Trust has increased, not decreased given the pressures being exerted on the islands in the Strait of Georgia and Howe Sound, internally as well as externally. When the Islands Trust was first established the inclusion of certain islands and the exclusion of others was haphazard. Islands by their nature are self contained and self-limited and "all deserve special protection". Expanding the Trust Area to include "coastal islands right up the coast (certainly into Desolation Sound)" could extend the application of the Object to a wider area. There is concern however that some areas outside the Trust may have "already moved beyond preserve and protect" and their inclusion might weaken the focus on the Object.

A variation on this option could be to re-examine the boundaries with a view to dividing up the current Trust Area into a number of parts that recognizes the relationships that exist between certain islands and not others – for example, "Salt Spring has no relationship to Bowen and Gambier". The Object would remain in effect, but the Trust Council in its current configuration would change.

In Part C a number of issues have been identified that require attention and further examination to provide more effective governance in the Trust Area, or at least to address concerns. In assessing the option to *'Re-examine/Expands Trust Area Boundaries'* these issues should be considered.

E. Conclusions

Over the past quarter century, the Islands Trust has evolved and adapted to meet changing circumstances. As part of a continuous process of planning for the future of the Trust Area, the *Strategic Perspectives Study* represents another step.

As was noted in the Introduction, The *Study* was intended, through interviews with elected trustees, staff, officials from senior governments and others associated with the Islands Trust, to identify the p*erspectives* of these key stakeholders about governance in the Islands Trust Area.

The *Study* was intended to result in a greater understanding and identification of the Islands Trust's past strengths and weaknesses (legislative, structural, financial, organizational and technical), future trends and conditions, and, potential future options to overcome identified weaknesses, realize strengths and address emerging trends. The *Study* was also intended to be of use as an information source to establish long term directions and short term priorities, as a rational for legislative proposals, and as a foundation for interagency partnerships.

1. Key Themes

A number of key themes emerged from the extensive consultations carried out for the *Study*. These are presented below. In keeping with the organization of the report, they have been organized around the legislated Object, local area governance, Trust Area governance, land use planning service delivery, the Trust Fund and governance options.

1.1 The Legislated Object

There is wide recognition that the Object – *to preserve and protect* – is what makes the Islands Trust unique and should remain central to any governance structure in the Trust Area. There is also wide support for improving the definition of the Object and the ability to carry it out.

- The relevance of the Object is greater than ever.
- Public acceptance and understanding of the Object is often lacking or limited.
- The Object lacks clarity and has some gaps.
- The Provincial Interest is undefined.
- The need for greater credibility and cooperation with external agencies is critical.
- The content of the Policy Statement lacks strength and clarity and limited use is made of it at the local level. The Trust Area lacks a strategic regional plan.
- To carry out the Object, necessary authority and tools are lacking.

1.2 Local Area Governance

While there is considerable support for the existing structure of local area governance, at the same time many question whether it is adequate.

- Trustees feel they lack support to carry out their responsibilities
- Meetings and the way in which business is conducted lack sufficient accountability, transparency, and wide public input.
- The method of selecting the chair has wide support, but the role of the chair is not always understood or accepted.
- The structure of the local trust committees inhibits consideration of wider interests and issues.

- The ability of local trust committees to function effectively is related to their size.
- There is a division of opinion on whether local trust committees should remain land use focussed or take on additional responsibilities.
- Major budget allocations are done on an area wide basis, there has been a lack of direct local control and accountability.
- Public awareness of and involvement in local trust committees is limited.

1.3 Trust Area Governance

There is general support for the concept of having a body to represent the "bigger picture", although many feel that some change to the current structure is necessary, particularly given the possibility of further island municipal incorporations and serious concern about Trust finances.

- The concept of the Trust Council to represent area wide interests is generally supported; its potential may not have been realized.
- Overall support exists for the role of the Executive Committee, there is some concern about how it carries out its role and whether the role should be expanded.
- Overall support exists for the current Standing Committees and the way in which they are selected.
- The Islands Trust faces decreasing revenue.
- Public perception of the Trust Council is often negative and awareness is limited.
- The relationship of population/taxation and representation on the Trust Council is unequal.
- Island incorporation has brought and will bring changes to the Islands Trust.

1.4 Land Use Planning Service Delivery

How planning services are delivered, their associated cost, and the complex geographic and inter-jurisdictional context in which they are delivered in the Islands Trust has often been contentious. The possibility of a significant decrease in revenue heightens concerns.

- Considerable support exists for full or partial decentralization of administrative and planning operations.
- There are serious staff related issues that require attention.
- The planning service is the major expense of the Trust, declining revenue will have an impact on the ability to deliver the service.
- The allocation of planning services has often been contentious. Matching needs, payment, and service are key issues.
- Planning processes are often complex and extended.
- There is a high level of political involvement in the planning process with the roles of elected and non-elected officials overlapping.
- Many jurisdictions have responsibilities in the Trust Area, there is some overlap and a general feeling amongst trustees that the Trust has limited ability to influence/control senior government policy and practices. Key external agencies include: MOTH, Ministry of Forests/FLR, ALC, Assessment/Taxes, Ministry of Environment, Lands and Parks, Municipal Affairs, Federal Government, and Regional Districts.
- Bylaw enforcement is generally considered to be inadequate.
- Local trust committees lack other regulatory tools to achieve their objectives.

1.5 *Trust Fund*

Many believe that in addition to the Object, the Trust Fund is what makes the Islands Trust unique and that it requires support. However, support, especially financial support, many feel has been insufficient.

- Trust Council understanding and support for the Trust Fund needs to be improved.
- Currently the Trust Fund is an arm of the Islands Trust. Alternatives need to be considered.
- The Trust Fund lacks sufficient resources (staff and funding) to carry out its work.
- An enhanced Provincial cooperation and contribution to the Trust Fund needs to be considered.
- Additional tools, partnerships, and a longer term planning capability are required to carry out the work of the Trust Fund.
- Trust Fund Board operations need to be reviewed to improve effectiveness.

1.6 *Governance Options*

There is widespread recognition that the Islands Trust is in "transition", that there is a need to review its governance structure and whatever governance structure is adopted needs to meet the following conditions:

- the ability to "preserve and protect" is enhanced
- the provincial interest is strengthened
- local autonomy and adequate local representation is maintained
- the relationship of the parts to the whole is improved
- the complexity and number of overlapping jurisdictional responsibilities is reduced
- relations with external agencies are improved
- conflict is minimized
- the cost is acceptable and sustainable
- accountability is improved (local, regional, and provincial)

2. *Strategic Responses and Opportunities*

Interspersed throughout the report are suggested strategic responses and opportunities. These emerged from the extensive consultations carried out as ways in which the identified themes could be addressed.

As was noted in the Introduction, the *Strategic Perspectives Study* is part of a larger process leading to a possible governance options review and governance changes. It will also be of use as an information source to establish long term directions and short term priorities, as a rationale for legislative proposals, and as a foundation for interagency partnerships. The strategic responses and opportunities presented and discussed below should be viewed in this context. Specific, more detailed, examples are contained in earlier sections of the report and are summarized on tables in Appendix C.

2.1 *Public Information, Awareness, Understanding and Participation*

One recurring issue emerging from the consultations was the role of the public in the Islands Trust in terms of the legislated Object, local area governance, Trust Area governance, land use planning service delivery and the Trust Fund. There is a general view that limited public awareness and

understanding of the Object, how the Islands Trust functions, its roles and responsibilities, and its relationships to external agencies leads to a lack of participation, negative perceptions, and a lack of public support. This situation, some feel, is reinforced by a lack of transparent public accountability.

Various responses for overcoming these perceived problems have been suggested. A key suggestion is the *development of a staff communications/community relations capacity* within the Trust. The various suggested responses can be implemented within the existing authority of the Trust, if there is the political will. Other responses include:

- distributing information to the public through traditional avenues and through the web site (e.g. through brochures, a quarterly report sheet, newspaper articles, a best practices handbook, transforming the Notebook to provide an overview of initiatives, posting Trust Council Minutes in a timely fashion);
- providing public educational programs;
- encouraging a wide range of public participation and input by scheduling local trust committee meetings more often, using fewer resolutions without meeting, ensuring fair meeting conduct and appropriate inclusive representation of diverse interests;
- building partnerships with community groups and conservancies (e.g. to improve individual understanding of how to preserve and protect, to enhance public support for the activities – property acquisition and fundraising – of the Trust Fund); and,
- relocating and decentralizing staff/offices to increase the ability to meet more frequently, provide more support to local trustees, and be more accessible to the local community.

2.2 Role of the Province

The Province has a unique relationship to the Islands Trust, stemming from the *Islands Trust* Act, which sets out the "provincial interest" and establishes the role and responsibilities of the Islands Trust. Amongst trustees there is an interesting dichotomy of views with respect to the role of the province: on the one hand there is a desire for the province to provide more support and on the other hand there is a desire for the Trust to have more autonomy in the conduct of its affairs.

Within the Islands Trust there is considerable frustration with the lack of definition of the "provincial interest" and the way in which it is carried out. Any resolution of this issue, will require a commitment and joint endeavour from both the Islands Trust and the Province. Various suggestions have been made to correct this situation, or at least, find a way to deal with it. These include:

- more clearly defining the "provincial interest" in the Object;
- improving coordination and consistency of approach, representation and accountability amongst provincial agencies, e.g. something akin to the coordination contained in the Regional Growth Strategies legislation and in the CORE processes;
- committing and increasing funding to support the "provincial interest", e.g. through grants, dedicated taxes, and endowments;
- amending legislation, particularly the *Islands Trust Act*, to define and clarify the authority and jurisdiction of the Islands Trust with respect to provincial agencies;
- examining examples of the provincial role in other jurisdictions for possible application to the Islands Trust, e.g. the Niagara Escarpment, the *Ontario Municipal Act*, Adirondack Park, the Georgia Basin, the Columbia River Basin Trust, and the *BC Municipal Act* goals set out as part of the regional growth strategy legislation; and,
- undertaking a governance study to examine how the "provincial interest" can be maintained and improved and still provide islands with an effective ability to better manage their interests.

2.3 *Relationship to External Agencies*

The nature of the relationship of the Islands Trust to external agencies is fundamental to its effective operation and the achievement of the Object. While the Trust maintains extensive ties to a large number of external agencies, relations are not always smooth.

There is a need to build credibility and cooperation with external agencies to improve and strengthen the relationship and identify specific opportunities for collaboration (e.g. joint projects and partnerships for information and resource sharing, networking, consultation, planning and monitoring). Resolution of this issue will require commitment and cooperation from both the Islands Trust and the external agencies it deals with.
development of partnerships and cooperative endeavours. Activities to undertake jointly could include:

In addition to the responses outlined under 2.2, other suggestions include:

- strengthening the working relationship with senior government ministries and agencies - maintaining and enhancing the agency liaison program by continuing the dialogue with elected officials in other jurisdictions and reviewing the protocols in terms of their need, content, and use;
- setting up a regular meeting schedule with regional district directors to coordinate land use planning and service delivery;
- examining how other multi-jurisdictional areas coordinate their efforts, e.g. the Fraser River Basin Council;
- identifying specific opportunities for collaboration, e.g. the Public Lands Strategy, the Pacific Heritage Marine Legacy, development of regulations concerning regional parks, the Tax Incentive proposal, an enhanced provincial land acquisition program, and local management of provincial parks; and
- identifying where generic provincial standards and regulatory codes could be modified to include subsets appropriate to the Trust Area: road standards, subdivisions, FLR, ALR, rural taxation rates, property classifications and assessment

2.4 *Funding and Budgets*

With the incorporation of Bowen Island, the possibility of other island municipal incorporations, and decreases in provincial operating grants, the Islands Trust faces a significant decline in revenues. As well, there has been an on-going concern within the Trust over the cost of service delivery, including the allocation of funds and accountability for their use.

These trends require the Islands Trust to review its financial affairs, to undertake strategic financial planning. Many of the suggested responses can be implemented within the existing authority of the Trust, although provincial cooperation will be necessary in some areas.

Specific responses include:

- identifying and determining alternate revenue sources – increased property taxes, other taxes (e.g. hotel, sales), fees and licences (e.g. fees on boaters, eco-tourism, and visitors), ticketing, endowments, fundraising, partnerships/joint endeavours, DCCs, and local service levies;
- examining alternate ways of funding the planning service – pooled resources, direct tax, or a combination;

- examining alternate ways of providing the planning service (e.g. on a contract basis with regional districts, hiring consultants, using local planners, dedicated staff, or a combination of some or all of these alternatives);
- examining service delivery levels - maintenance/ reduction/increase;
- improving service delivery - managing crises better, improving accountability, rigorously identifying what work needs to be done and adhering to the work plan, trimming bylaws and streamlining processes to reduce administrative costs;
- providing more financial resources and control at the local level;
- obtaining a commitment (level and source) from the Province to fund the "provincial interest", e.g. through a resource tax, Income Tax, Sales Tax, an endowment such as those for UBC or the Columbia River Basin; and,
- identifying where and how the province should contribute to the cost of planning services, e.g. subsidizing smaller islands, establishing an endowment for the delivery of planning services.

2.5 *Responsibilities*

The primary responsibilities of the Islands Trust are the provision of land use planning services (carried out at the local trust area level) and the achievement of the legislated Object (through local planning, the Policy Statement, and external agencies). There is a considerable division of opinion about the need for the Islands Trust as a whole or even individual islands to take on additional responsibilities, specifically a service delivery function integrated with land use planning. Some feel this would enhance the ability to achieve the Object, others feel that it would dilute the focus on the Object.

The situation is further complicated by the desire, especially on the larger islands, for more control and autonomy in directing their affairs by taking on added functions. The move to island municipal incorporation is driven in part by this desire and, certainly incorporation is and should be viewed as one way to achieve the integration of service delivery and land use planning.

A change in responsibilities has the potential for significantly affecting the Islands Trust, whether such change occurs throughout or is limited to the larger islands. Both internal external relationships would be impacted. Given, the divergence of views on this issue, there is a need to identify the extent to which change is desired and the implications of such change.

2.6 *Regulatory Tools and Authority*

One recurring issue emerging from the consultations was the need for additional regulatory tools and authority to ensure the achievement of the Object and support land use planning initiatives. Another recurring issue was the need to utilize existing tools better. Resolution of these issues will require action on the part of both the Trust and the Province.

Specific responses include:

- identifying planning and regulatory tools in the *Municipal* Act and other provincial legislation that would assist the Trust in carrying out its responsibilities, particularly environmental protection tools;
- obtaining a transfer of subdivision approval from MOTH and the ability to modify road standards (this would first require the Islands Trust to improve land use bylaws, develop development permit guidelines, and complete OCPs);
- increasing the authority of the Islands Trust with respect to provincial agencies e.g. the FLR and ALR;
- monitoring the on-going review of the *Municipal Act* for the inclusion of new tools;

- reviewing other jurisdictions for useful strategies and tools, e.g. the CRD and San Juan Islands preservation initiatives;
- incorporating additional authority and tools directly into the *Islands Trust Act*
- improving bylaw enforcement by increasing available resources, looking at different ways to deliver the service, identifying how much service is desired, dealing with overlapping jurisdictions, and decreasing political interference; and,
- improving consistency and developing "best practices" in the application of tools and the use of the Policy Statement across islands.

2.7 *Internal Relationships, Structure and Roles*

Within the Islands Trust itself there are four key bodies - the local trust committees, the Trust Council, the Executive Committee, and the Trust Fund – each with its own responsibilities and roles. The nature of the structure and how the various parts relate to each other are fundamental to the effectiveness of the Islands Trust in achieving the Object and providing area governance. Effecting change will require action on the part of both the Trust and the Province.

Suggested responses emerging from the consultations include the following:

- improving trustee support – raising compensation levels, providing orientation and workshops, mentoring, decentralizing office and staff;
- avoiding role conflict – clarifying roles and responsibilities of staff and trustees, improving the understanding of the local trust committee chair's role;
- reviewing alternatives for selecting local trust committee chairs – increasing the size of the Executive Committee to spread the workload, electing 4 additional trustees to serve as chairs, selecting of the chair from amongst local trustees if the size of the local trust committee is increased;
- reviewing the role of the Executive Committee – undertaking more rigorous bylaw review, examining the need to take on a monitoring and evaluating role;
- addressing the needs of larger and smaller islands to deal with workload and , representation – identifying ways to increase the size of local trust committees where needed;
- reviewing the federated structure and current organization of local trust areas to address the issue of unequal representation by population;
- developing a "best practices" manual to assist local areas in their use of the Policy Statement; and,
- establishing a new committee (perhaps under the direction of the Executive Director) to review the content, wording and enforcement of the Policy Statement and/or develop a regional growth strategy (using the provisions of the *Municipal Act)* that would achieve buy in from the local level, regional districts, and senior governments.

2.8 *Governance*

With the advent of island municipal incorporation, increasing difficulty in achieving the Object, and a lack of clarity in terms of the "provincial interest", there is a general acknowledgment amongst trustees and many others of the need to review the governance structure of the Islands Trust and that change is required. To carry out an Islands Trust governance study, the cooperation of the Province would be essential.

During the consultations a wide range of governance options were suggested for examination. It is important to note that no one of the options is favoured by a majority of the current trustees and that there is considerable support for taking an evolutionary approach to change as opposed to a sudden and dramatic overhaul. Governments everywhere face many challenges in providing effective

governance. The Islands Trust is no exception. The question is whether the challenges the Islands Trust face require a significant adjustment or an adaptation of the current governance structure. Views vary widely.

The identified options include:

- maintaining the status quo;
- creating a municipal structure;
- establishing a commission;
- establishing an Islands Trust regional area;
- establishing a "county" form of government;
- abolishing the Trust; and,
- re-examining/expanding the boundaries of the Trust.

Variations are possible within many of the options and these should also be identified and explored if a governance study is carried out.

F. Recommendations

In the preceding sections of this report, numerous issues and themes, strategic responses and opportunities have been identified. These provide the basis for the following recommendations, recommendations that can be used to start the process of examining governance options for the Islands Trust. Recognizing that there is a general recognition of the need for change in the governance structure of the Islands Trust as well as a preference for taking an evolutionary approach, it is recommended that a governance review of the Islands Trust be carried out in three stages. The three stages can be conducted concurrently or in succession.

Stage 1 – Recommendation

- *Carry out those actions that are within the existing authority of the Islands Trust as outlined below.*

As noted, implementation of many of the strategic responses outlined in previous sections of the report can be undertaken within the current authority of the Islands Trust, particularly where review of and adjustments to current practices are suggested.

Examples include: streamlining processes; completing land use bylaws, development permit guidelines and OCPs; strategic financial planning and budgetary control; staff issues; clarification of staff/trustee roles; assessment of alternate service levels and methods of delivery; allocation of planning services; identification of desired regulatory tools; bylaw enforcement; increasing public information, awareness, understanding and participation; improving and developing cooperative working relationships with external agencies; decentralization of planning staff; strengthening the Policy Statement; and reviewing and making adjustments in the operation of local trust committees, the Executive Committee, Trust Council and Trust Fund.

Stage 2 – Recommendation

- *Carry out the actions described below.*

In some cases, implementation of the strategic responses outlined in previous sections will require assistance and cooperation from other jurisdictions, such as the province and regional districts, particularly with respect to legislative amendments, changes in their current practices; changes in the relationship between the Islands Trust and other jurisdictions; review of policies and practices in other areas; and funding commitments.

Examples include: inclusion in the *Islands Trust Act* of additional regulatory tools and authority (including provisions for conducting a regional growth strategy and for ensuring greater environmental protection); clarification and changes to the definition of the Object (including a definition of the "provincial interest" following a review of examples in other jurisdictions); providing increased flexibility in local trust committee size and local area representation; identification, commitment and coordination of provincial funding and programs to support the "provincial interest", modification of generic codes; strengthening the protocols; and working cooperatively to develop joint service provision (e.g. bylaw enforcement).

1.3 Stage 3 – Recommendation

- *Conduct a governance study for the Islands Trust*

In other cases, implementation of some of the strategic responses outlined in previous sections will require consideration in the context of a broader and more in-depth governance review, including consideration of the particular governance options outlined in the report.

Appendices

- ***Appendix A – List of Persons Interviewed***
- ***Appendix B – Interview Guide***
- ***Appendix C – Strategic Responses***

Appendix A – List of Persons Interviewed

Name	*Organization*	*Date*
Margaret Griffiths	Galiano Trustee	January 25, 2000
Tom Johnstone	BC Assessment - retired	January 26, 2000
Em Round	North Pender Trustee	January 26, 2000
Tom Weinerth	Lasqueti Trustee	January 26, 2000
Bill Sheffeld	Saturna Trustee	January 26, 2000
Roger Cheetham	Agricultural Land Commission	January 26, 2000
Gail Lund	Gabriola Trustee	January 26, 2000
Ron Townshend	BC Ministry of Finance	January 26, 2000
Louise Bell	Denman Trustee	January 27, 2000
Ron Emerson	Hornby Trustee	January 27, 2000
Bill Buholzer	Lawyer	January 27, 2000
Neville Hope Rob Howat	BC Ministry of Transportation and Highways	January 27, 2000
Tom Babb	Denman Trustee	January 27, 2000
John Rumble	South Pender Trustee	January 28, 2000
Richard Tamboline	Mayne Trustee	January 28, 2000
Jacques Campbell	Former CRD Director	January 28, 2000
Darlene Marzari	Georgia Basin	January 28, 2000
Tony Law	Hornby Trustee	January 28, 2000
Bob Gibson	Gambier Trustee	January 28, 2000
Roxanna Mandryk	Director - Comox-Strathcona RD	January 29, 2000
Mike Harcourt	Georgia Basin	January 31, 2000
Ross Carter	Bowen Councillor/Trustee	January 31, 2000
Peter Frinton	Bowen Councillor/Trustee	January 31, 2000
Rose Bennett	Mayne Trustee	January 31, 2000
Bob Bingham	Thetis Trustee	January 31, 2000
Bev Byron	Salt Spring Trustee	February 1, 2000
Louise Goulet	Parks Canada	February 3, 2000
Katherine Dunster	Trust Fund Board Director	February 3, 2000
John Henshaw	South Pender Trustee	February 3, 2000
Dave Hitchcock	BC Assessment	February 4, 2000
Debbie Holmes	Galiano Trustee	February 4, 2000
Dennis O'Gorman	BC Environment, Lands and Parks	February 4, 2000
Mitch Fumalle Bill Hewitt	BC Municipal Affairs	February 4, 2000
Eric O'Higgins	Lasqueti Trustee	February 4, 2000
Wayne Wright	North Pender Trustee	February 4, 2000
Jim Barlow	Parks Canada	February 7, 2000
Lisa Barrett	Mayor – Bowen Island	February 7, 2000
Susie Washington	Trust Fund Board Director	February 8, 2000
Erik Karlsen	BC Municipal Affairs	February 8, 2000
Don Lidstone	Lawyer	February 8, 2000
Gisele Rudischer	Gabriola Trustee	February 8, 2000
Cynthia Hawksworth	BC Municipal Affairs	February 8, 2000
Brian Clark	BC Assets and Land Corporation	February 9, 2000
Gord McIntosh	Islands Trust	February 10, 2000
	Group Interviews	
Members David Essig David Borrowman	Islands Trust Executive Committee	February 2, 2000

John Money Kim Benson		
Gary Paget Alan Osborne Derek Trimmer	BC Municipal Affairs Staff	February 2, 200
Salt Spring Restructure Committee		February 3, 2000
Management/RPCs	Islands Trust	February 7, 2000
Staff	Islands Trust	February 9, 2000
	Facilitated Session	
All members present	Trust Council	March 3, 2000

Appendix B – Interview Guide

Interview Guide

Name of Representative:
Position:
Telephone: Fax:
Date:_____
Interview time minutes

Overview

Thank you for agreeing to participate in this interview.

The interview is part of the **Strategic Perspectives Study** whose purpose is to help identify and develop an understanding of the conditions facing the Trust, its strengths and weaknesses, and possible future options and actions.

The Study will be used by the Islands Trust as a background for a possible Trust Area Governance Options Review, an information source to establish short term priorities and longer term directions for the strategic work program, as well as to provide a rationale for legislative proposals and a foundation for interagency partnerships.

Interviews are being conducted with all of the current Trustees, Trust staff, provincial officials in various ministries and agencies, and a few former regional district directors. The results of the consultation will become part of a "Discussion Guide" and, finally, a report to the Trust Council and Minister of Municipal Affairs.

Keeping in mind the purpose – identifying and developing an understanding of the conditions and trends facing the Trust, past strengths and weaknesses, and possible future options and actions – the interview will be structured around the following areas:

- Local Governance
- Trust Area Governance
- Planning and Service Delivery
- The legislated Mandate

A. Local Trust Area Governance

One of the critical elements of the governance structure of the Islands Trust is local Trust Area governance.

1. What do you think are the major issues and opportunities (conditions/trends) affecting local Trust Area governance?
2. What do you think are the strengths/weaknesses in local Trust Area governance?
3. Could you identify any specific options that you think would improve local Trust Area governance?

_____

_____

B. *Trust Area Governance*

There is no other local government body like the Trust in the Province, and possibly in North America. As you know the formal governance structure of the Islands Trust is made up of the Trust Council, Island Committees, the Executive Committee, Council Committees, and the Islands Trust Fund Board, each with its own function and authority.

1. What do you think are the major issues and opportunities (conditions/trends) affecting Trust Area governance?
2. What do you think are the strengths/weaknesses in Trust Area governance?
3. Could you identify any options that you think would improve Trust Area governance?
4. Could you identify any specific options that you think would improve relationships between the Trust Council, Local trust committees, the Executive Committee, and the Islands Trust Fund Board?

C. *Land Use Planning Service Delivery*

The Islands Trust is responsible for community land use planning in the Trust Area. To carry out this responsibility the Islands Trust works within a legislated framework, has developed an organization structure, and utilizes financial and human resources.

1. What do you think are the major issues and opportunities (conditions/trends) affecting land use planning service delivery by the Islands Trust?
2. What do you think are the strengths/weaknesses of planning and service delivery?
3. Could you identify any specific options that you think would improve planning and service delivery?

D. *The Legislated Object*

As you know the Object of the Trust is to: "*preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of the Province.*"

1. What do you think are the major issues and opportunities (conditions/trends) affecting the Islands Trust's ability to carry out the object?
2. What do you think are the strengths/weaknesses of the Object and, in particular, the ability to carry it out?
3. Are there specific options that you would like to see considered?

Do you have any final comments to offer on any of the issues we have been talking about?

_____
_____
_____
_____
_____
_____

Thank you! Do you mind if I contact you for further information, if needed?

If you have additional comments, please send them to:

Diana Butler
FAX - 250- 598 – 6909

Please submit by February 4th

Appendix C – Strategic Responses

The Legislated Object		
Issue	***Strategic Response***	***Responsible Agent***
❑ Retaining the Object	• confirmation	• *Trust Council* • *Province*
❑ Improving public awareness of the Object	• distribute information – brochures, newspaper articles • provide information on how to preserve and protect • build partnerships with community groups	• *Local trust committees* • *Trust Council* • *Trust Fund*
❑ Clarifying the Object	• review the language and content – definition of terms, change of verb form, additions/deletions • amend legislation/Policy Statement to reflect desired changes	• *Trust Council* • *Province*
❑ Defining the Provincial interest	• examine examples from other jurisdictions for application to the Islands Trust • improve coordination, representation and accountability • amend legislation – *Islands Trust Act*, other • commit funding – amount, source, purpose • modify regulatory codes – use of subsets to fit the Trust Area	• *Province*
❑ Building credibility/ cooperation with external agencies	• review protocols – need, content • maintain the agency liaison program • continue the dialogue with elected officials in other jurisdictions • develop strategies and identify opportunities for cooperative working relationships and improved understanding e.g. look at the Fraser River Basin Council as an example	• *Trust Council* • *External Agencies*
❑ Strengthening the Policy Statement	• follow through at the local level – enforcement • review content and wording • develop a strategic regional plan	• *Trust Council*
❑ Identifying/acquiring additional tools/authority	• identify needed regulatory tools • amend legislation to acquire these	• *Trust Council* • *Province*

Local Area Governance		
Issue	***Strategic Response***	***Responsible Agent***
❑ Improving trustee support	• raise compensation levels • provide more orientation • make equipment/staff more available	• *Trust Council*
❑ Achieving greater public accountability, transparency, and input.	• schedule meetings more often • use fewer resolutions without meeting • ensure fair conduct of meetings • relocate staff to reduce meeting cost and increase meeting frequency • encourage a wide range public participation/input	• *Local trust committees*
❑ Improving the functioning of the Chair	• review alternatives for selecting the chair – increase the size of the Executive Committee, elect 4 trustees to serve as chairs, or select a chair from amongst the members of an expanded local trust committee • clarify and improve the understanding of the chair's role	• *Trust Council*
❑ Improving the relationship to the wider Trust Area and representation of the Provincial Interest	• strengthen the Policy Statement and use it more at the local level (best practices) • shift the balance and relationship between the local and wider area through restructuring	• *Trust Council* • *Local trust committees* • *Province*
❑ Addressing the needs of larger and smaller islands	• review needs – workload, representation • identify ways to increase the size where needed • amend the *Islands Trust Act,* if necessary	• *Trust Council* • *Local trust committees* • *Province*
❑ Determining the range of responsibilities desired	• review maintaining the single focus or moving to a wider range of responsibilities e.g. land use planning and/or service delivery • amend legislation – *Islands Trust Act,* if necessary	• *Trust Council* • *local trust committees* • *Province*
❑ Ensuring greater local budgetary control	• identify the purpose/use for a local budge • determine funding source	• *Trust Council* • *Local trust committees*
❑ Improving public participation:	• provide public information about the role of local trust committees • ensure inclusive processes for the selection of and involvement in advisory committees • schedule public meetings more frequently	• *Local trust committees*

Trust Area Governance		
Issues	***Strategic Response***	***Responsible Agent***
❑ Enhancing the role of the Trust Council	• strengthen representation of the wider area e.g. through bylaw review, a strengthened Policy Statement, development of a strategic regional plan	• *Trust Council* • *Province*
❑ Improve Executive Committee functioning	• undertake more rigorous bylaw review • examine need for other functions • review role of chair on local trust committees	• *Executive Committee* • *Trust Council*
❑ Dealing with declining revenues	• identify and determine alternate revenue sources • examine alternate service provision and delivery levels and models • undertake a strategic financial plan • obtain commitment from the Province on future funding	• *Trust Council* • *Province*
❑ Improving public perception and awareness	• provide public information • make more use of the Web site • develop a best practices handbook – achievements • develop a staff communications/community relations capacity	• *Trust Council*
❑ Addressing unequal representation by population	• determine the need/desire for change • identify the alternatives and their implications	• *Trust Council* • *Province*
❑ Dealing with the impacts of island incorporations	• develop a capacity to respond to the impact of incorporations • investigate other governance structures	• *Trust Council* • *Local trust committees* • *Province*

Land Use Planning Service Delivery		
Issues	**Strategic Response**	**Responsible Agent**
❑ Decentralizing office and staff	• decentralize all or part • decide on location	• *Trust Council*
❑ Dealing with staff issues	• explore ways to overcome problems of recruitment, retention, low morale, and conflicting expectations	• *Trust Council* • *Senior Staff*
❑ Identifying alternate ways to deliver planning services	• service level - maintenance/ reduction/increase • providing planning services in other ways • funding planning services – alternatives • determining the provincial contribution	• *Trust Council* • *Local trust committees* • *Staff*
❑ Improving planning service allocation	• manage crises better • improve accountability • adhere to the work plan • identify what work needs to be done	• *Local trust committees* • *Trust Council* • *Staff*
❑ Streamlining processes and completing work program on a timely basis	• improve consistency – use of templates, checklists, cross-fertilization • develop and adhere to administrative rules • adhere to the Work Program and complete on a timely basis • develop service guidelines • ensure appropriate, fair, and inclusive public involvement • reduce red tape - streamline bylaw development/ development application processes	• *Local trust committees* • *Trust Council* • *Staff*
❑ Avoiding role conflict	• clarify roles and responsibilities of staff/trustees • look at how other local governments function • develop region wide bylaws	• *Local trust committees* • *Trust Council* • *Staff*
❑ Improving and strengthening the relationship with external agencies	• strengthen the working relationship with senior government ministries and agencies • consider opportunities for partnering • identify desired legislative changes • work to modify the application of generic standards • assess the impact of taking on added responsibilities e.g.	• *Trust Council*

❑ Identifying specific opportunities for change/collaboration	• *MOTH* - subdivision approval authority – improve bylaws/ development permit guidelines/OCPs; road standards • *Forests/FLR/ALC* - work to modify the application of generic standards • *Assessment/Taxation* – the Rural Tax Rate, property classifications and assessment, Tax Incentive proposal, provision of line items on tax bills • *ELP* - local management of parks, public lands strategy • *Municipal Affairs* - planning and regulatory tools that would assist the Trust in carrying out its responsibilities, legislative provisions for regional growth strategies, the on-going review of the *Municipal Act* • *Federal Government* - Pacific Heritage Marine Legacy • *Regional Districts* – parks, development of regulation	• *Trust Council* • *External Agencies*
❑ Improving bylaw enforcement	• increase available resources • look at different ways to deliver the service • identify how much service is desired • deal with overlapping jurisdictions • decrease political interference	• *Local trust committees* • *Trust Council*
❑ Acquiring additional tools/authority	• identify tools, e.g. environmental protection tools, business licenses, tree protection, building permits, • amend the *Islands Trust Act* to provide additional authority and tools	• *Local trust committees* • *Trust Council* • *Province*

Trust Fund		
Issues	***Strategic Response***	***Responsible Agent***
❑ Improving Trust Council understanding and support	• adopt a Trustee • provide orientation for trustees • provide workshops	• *Trust Fund Board* • *Trust Council*
❑ Determining future governance options for the Trust Fund	• strengthen the links to the Trust Council • sever the linkage • attach to another body • establish an independent body	• *Trust Council* • *Trust Fund Board* • *Province*
❑ Increasing resources	• Increase taxation – line item on tax bill • establish an endowment • undertake public fundraising • establish a communications capability • form partnerships	• *Trust Council* • *Trust Fund Board* • *Province*
❑ Enhancing provincial cooperation and contributions	• Undertake an enhanced provincial land acquisition program • establish cooperative working relations • contribute funding • provide for local management contracts • devolve administration of crown lands	• *Province*
❑ Increasing the effectiveness of the Trust Fund	• establish a longer term planning capability • improve coordination/form partnerships - other conservancies, provincial/federal agencies • raise public awareness • examine strategies used in other jurisdictions – CRD/San Juan Islands • acquire additional tools	• *Trust Council* • *Trust Fund Board*
❑ Improving the operation of the Board	• change the name • review the size • review the relationship to the Trust Council • review board composition • review how activities are organized	• *Trust Fund Board* • *Province*

Governance Options		
Issues	***Strategic Response***	***Responsible Agent***
❑ Reviewing the governance structure	• maintaining the status quo • creating a municipal structure • establishing a commission • establishing an Islands Trust regional area • establishing a "county" form of government • abolishing the Trust • re-examining/expanding the boundaries of the Trust	• *Trust Council* • *Province*